

104TH CONGRESS
1ST SESSION

H. R. 2349

To amend title 23, United States Code, to designate the National Highway System, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 18, 1995

Mr. SHUSTER (for himself, Mr. PETRI, Mr. MINETA, Mr. RAHALL, and Mr. OBERSTAR) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend title 23, United States Code, to designate the National Highway System, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “National Highway System Designation Act of 1995”.

6 (b) TABLE OF CONTENTS.—

Sec. 1. Short title; table of contents.

Sec. 2. Secretary defined.

TITLE I—NATIONAL HIGHWAY SYSTEM

Sec. 101. National Highway System designation.

TITLE II—HIGHWAY FUNDING RESTORATION

- Sec. 201. Short title.
- Sec. 202. Findings and purposes.
- Sec. 203. State high priority project restoration program.
- Sec. 204. Rescissions.
- Sec. 205. State unobligated balance flexibility.
- Sec. 206. Minimum allocation.
- Sec. 207. Relief from mandates.
- Sec. 208. Definitions.

TITLE III—MISCELLANEOUS PROVISIONS

- Sec. 301. Distribution of transit operating assistance limitation.
- Sec. 302. Accountability for high cost Federal-aid projects.
- Sec. 303. Letters of intent and full financing grant and early systems work agreements.
- Sec. 304. Report on capital projects.
- Sec. 305. Repeal and modification of existing projects.
- Sec. 306. Miscellaneous transit projects.
- Sec. 307. Metropolitan planning for transit projects.
- Sec. 308. Contracting for engineering and design services.
- Sec. 309. Ferry boats and terminal facilities.
- Sec. 310. Utilization of the private sector for surveying and mapping services.
- Sec. 311. Formula grant program.
- Sec. 312. Accessibility of over-the-road buses to individuals with disabilities.
- Sec. 313. Alaska Railroad.
- Sec. 314. Alcohol and controlled substances testing.
- Sec. 315. Alcohol-impaired driving countermeasures.
- Sec. 316. Safety research initiatives.
- Sec. 317. Public transit vehicles exemption.
- Sec. 318. Congestion mitigation and air quality improvement program.
- Sec. 319. Quality improvement.
- Sec. 320. Applicability of transportation conformity requirements.
- Sec. 321. Quality through competition.
- Sec. 322. Applicability of certain vehicle weight limitations in Wisconsin.
- Sec. 323. Treatment of Centennial Bridge, Rock Island, Illinois, agreement.
- Sec. 324. Metric requirements and signs.
- Sec. 325. ISTEA technical clarification.
- Sec. 326. Metropolitan planning for highway projects.
- Sec. 327. Non-Federal share for certain toll bridge projects.
- Sec. 328. Discovery and admission as evidence of certain reports and surveys.
- Sec. 329. National recreational trails.
- Sec. 330. Identification of high priority corridors.
- Sec. 331. High priority corridor feasibility studies.
- Sec. 332. High cost bridge projects.
- Sec. 333. Congestion relief projects.
- Sec. 334. High priority corridors on National Highway System.
- Sec. 335. High priority corridor projects.
- Sec. 336. Rural access projects.
- Sec. 337. Urban access and mobility projects.
- Sec. 338. Innovative projects.
- Sec. 339. Intermodal projects.
- Sec. 340. Miscellaneous revisions to Surface Transportation and Uniform Relocation Assistance Act of 1987.
- Sec. 341. Eligibility.
- Sec. 342. Orange County, California, toll roads.

- Sec. 343. Miscellaneous studies.
- Sec. 344. Collection of bridge tolls.
- Sec. 345. National driver register.
- Sec. 346. Roadside barrier technology.
- Sec. 347. Motorist call boxes.
- Sec. 348. Repeal of national maximum speed limit compliance program.
- Sec. 349. Elimination of penalty for noncompliance for motorcycle helmets.
- Sec. 350. Safety rest areas.
- Sec. 351. Exemptions from requirements relating to commercial motor vehicles and their operators.
- Sec. 352. Traffic control signs.
- Sec. 353. Brightman Street Bridge, Fall River Harbor, Massachusetts.

1 **SEC. 2. SECRETARY DEFINED.**

2 In this Act, the term “Secretary” means the Sec-
3 retary of Transportation.

4 **TITLE I—NATIONAL HIGHWAY**
5 **SYSTEM**

6 **SEC. 101. NATIONAL HIGHWAY SYSTEM DESIGNATION.**

7 Section 103 of title 23, United States Code, is
8 amended by inserting after subsection (b) the following:

9 “(c) INITIAL DESIGNATION OF NHS.—The National
10 Highway System as submitted by the Secretary of Trans-
11 portation on the map entitled ‘Official Submission, Na-
12 tional Highway System, Federal Highway Administra-
13 tion’, and dated September 1, 1995, is hereby designated
14 within the United States, including the District of Colum-
15 bia and the Commonwealth of Puerto Rico.

16 “(d) MODIFICATIONS TO THE NHS.—

17 “(1) PROPOSED MODIFICATIONS.—The Sec-
18 retary may submit for approval to the Committee on
19 Environment and Public Works of the Senate and
20 the Committee on Transportation and Infrastructure

1 of the House of Representatives proposed modifica-
2 tions to the National Highway System. The Sec-
3 retary may only propose a modification under this
4 subsection if the Secretary determines that such
5 modification meets the criteria and requirements of
6 subsection (b). Proposed modifications may include
7 new segments and deletion of existing segments of
8 the National Highway System.

9 “(2) APPROVAL OF CONGRESS REQUIRED.—A
10 modification to the National Highway System may
11 only take effect if a law has been enacted approving
12 such modification.

13 “(3) REQUIRED SUBMISSIONS.—

14 “(A) INITIAL SUBMISSION.—Not later than
15 180 days after the date of the enactment of the
16 National Highway System Designation Act of
17 1995, the Secretary shall submit under para-
18 graph (1) proposed modifications to the Na-
19 tional Highway System. Such modifications
20 shall include a list and description of additions
21 to the National Highway System consisting of
22 connections to major ports, airports, inter-
23 national border crossings, public transportation
24 and transit facilities, interstate bus terminals,

1 and rail and other intermodal transportation fa-
2 cilities.

3 “(B) CONGRESSIONAL HIGH PRIORITY
4 CORRIDORS.—Upon the completion of feasibility
5 studies, the Secretary shall submit under para-
6 graph (1) proposed modifications to the Na-
7 tional Highway System consisting of any con-
8 gressional high priority corridor or any segment
9 thereof established by section 1105 of the Inter-
10 modal Surface Transportation Efficiency Act of
11 1991 (105 Stat. 2037) which was not identified
12 on the National Highway System designated by
13 subsection (c).

14 “(4) INTERIM ELIGIBILITY.—

15 “(A) IN GENERAL.—Notwithstanding para-
16 graph (2), a modification to the National High-
17 way System which adds to the National High-
18 way System a connection to a major port, air-
19 port, international border crossing, public
20 transportation or transit facility, interstate bus
21 terminal, or rail or other intermodal transpor-
22 tation facility shall be eligible for funds appor-
23 tioned under section 104(b)(1) for the National
24 Highway System if the Secretary finds that
25 such modification is consistent with criteria de-

veloped by the Secretary for such modifications to the National Highway System.

“(B) PERIOD OF ELIGIBILITY.—A modification to the National Highway System which is eligible under subparagraph (A) for funds apportioned under section 104(b)(1) may remain eligible for such funds only until the date on which a law has been enacted approving modifications to the National Highway System which connect the National Highway System to facilities referred to in subparagraph (A).”.

TITLE II—HIGHWAY FUNDING RESTORATION

SEC. 201. SHORT TITLE.

This title may be cited as the “Highway Funding Restoration Act of 1995”.

SEC. 202. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds and declares that—

(1) Federal infrastructure spending on highways is critical to the efficient movement of goods and people in the United States;

(2) section 1003(c) of the Intermodal Surface Transportation Efficiency Act of 1991 has been estimated to result in fiscal year 1996 highway spending being reduced by as much as \$4,200,000,000;

1 (3) such section 1003(c) will cause every State
2 to lose critical funds from the Highway Trust Fund
3 that can never be recouped; and

4 (4) the funding reduction would have disastrous
5 effects on the national economy, impede interstate
6 commerce, and jeopardize the 40-year Federal in-
7 vestment in the Nation's highway system.

8 (b) PURPOSES.—The purposes of this Act are—

9 (1) to make the program categories in the cur-
10 rent Federal-aid highway program more flexible so
11 that States may fund current, high-priority projects
12 in fiscal year 1996;

13 (2) to eliminate programs that are not critical
14 during fiscal year 1996 and to reallocate funds so
15 that the States will be able to continue their core
16 transportation infrastructure programs;

17 (3) to restore funding for exempt highway pro-
18 grams;

19 (4) to ensure the equitable distribution of funds
20 to urbanized areas with a population over 200,000
21 in a manner consistent with the Intermodal Surface
22 Transportation Efficiency Act of 1991; and

23 (5) to suspend certain penalties that would be
24 imposed on the States in fiscal year 1996.

1 **SEC. 203. STATE HIGH PRIORITY PROJECT RESTORATION**
 2 **PROGRAM.**

3 (a) IN GENERAL.—On October 1 of each of fiscal
 4 years 1996 and 1997, or as soon as possible thereafter,
 5 the Secretary shall allocate among the States the amounts
 6 made available to carry out this section for Interstate
 7 highway substitute, National Highway System, surface
 8 transportation program, Interstate, congestion mitigation
 9 and air quality improvement program, bridge, hazard
 10 elimination, and rail-highway crossings projects.

11 (b) ALLOCATION FORMULA.—Funds made available
 12 to carry out this section shall be allocated among the
 13 States in accordance with the following table:

| States: | Allocation Percentages |
|----------------------------|------------------------|
| Alabama | 1.80 |
| Alaska | 1.20 |
| Arizona | 1.43 |
| Arkansas | 1.42 |
| California | 9.17 |
| Colorado | 1.27 |
| Connecticut | 1.74 |
| Delaware | 0.39 |
| District of Columbia | 0.52 |
| Florida | 4.04 |
| Georgia | 2.92 |
| Hawaii | 0.54 |
| Idaho | 0.70 |
| Illinois | 3.88 |
| Indiana | 2.18 |
| Iowa | 1.27 |
| Kansas | 1.13 |
| Kentucky | 1.53 |
| Louisiana | 1.52 |
| Maine | 0.65 |
| Maryland | 1.68 |
| Massachusetts | 4.11 |
| Michigan | 2.75 |
| Minnesota | 1.69 |
| Mississippi | 1.11 |
| Missouri | 2.28 |

| | |
|----------------------|-------|
| Montana | 0.93 |
| Nebraska | 0.79 |
| Nevada | 0.69 |
| New Hampshire | 0.48 |
| New Jersey | 2.86 |
| New Mexico | 1.02 |
| New York | 5.35 |
| North Carolina | 2.62 |
| North Dakota | 0.64 |
| Ohio | 3.64 |
| Oklahoma | 1.36 |
| Oregon | 1.23 |
| Pennsylvania | 4.93 |
| Rhode Island | 0.56 |
| South Carolina | 1.42 |
| South Dakota | 0.69 |
| Tennessee | 2.00 |
| Texas | 6.21 |
| Utah | 0.73 |
| Vermont | 0.43 |
| Virginia | 2.28 |
| Washington | 2.05 |
| West Virginia | 1.15 |
| Wisconsin | 1.90 |
| Wyoming | 0.65 |
| Puerto Rico | 0.46 |
| Territories | 0.01. |

1 (c) EFFECT OF ALLOCATIONS.—Funds distributed to
2 States under subsection (b) shall not affect calculations
3 to determine allocations to States under section 157 of
4 title 23, United States Code, and sections 1013(c),
5 1015(a), and 1015(b) of the Intermodal Surface Trans-
6 portation Efficiency Act of 1991.

7 (d) PERIOD OF AVAILABILITY.—Notwithstanding any
8 other provision of law, amounts made available to carry
9 out this section shall be available for obligation for the
10 fiscal year for which such amounts are made available plus
11 the 3 succeeding fiscal years and shall be subject to the
12 provisions of title 23, United States Code. Obligation limi-
13 tations for Federal-aid highways and highway safety con-

1 construction programs established by the Intermodal Surface
2 Transportation Efficiency Act of 1991 and subsequent
3 laws shall apply to obligations made under this section.

4 (e) SPECIAL RULE FOR URBANIZED AREAS OF OVER
5 200,000.—

6 (1) GENERAL RULE.—The percentage deter-
7 mined under paragraph (2) of funds allocated to a
8 State under this section for a fiscal year shall be ob-
9 ligated in urbanized areas of the State with an ur-
10 banized population of over 200,000 under section
11 133(d)(3) of title 23, United States Code.

12 (2) PERCENTAGE.—The percentage referred to
13 in paragraph (1) is the percentage determined by di-
14 viding—

15 (A) the total amount of the reduction in
16 funds which would have been attributed under
17 section 133(d)(3) of title 23, United States
18 Code, to urbanized areas of the State with an
19 urbanized population of over 200,000 for fiscal
20 year 1996 as a result of the application of sec-
21 tion 1003(c) of the Intermodal Surface Trans-
22 portation Efficiency Act of 1991; by

23 (B) the total amount of the reduction in
24 authorized funds for fiscal year 1996 that
25 would have been allocated to the State, and

1 that would have been apportioned to the State,
2 as a result of the application of such section
3 1003(c).

4 (f) LIMITATION ON PLANNING EXPENDITURES.—
5 One-half of 1 percent of amounts allocated to each State
6 under this section in any fiscal year may be available for
7 expenditure for the purpose of carrying out the require-
8 ments of section 134 of title 23, United States Code (re-
9 lating to transportation planning). 1½ percent of the
10 amounts allocated to each State under this section in any
11 fiscal year may be available for expenditure for the pur-
12 pose of carrying out activities referred to in subsection (c)
13 of section 307 of such title (relating to transportation
14 planning and research).

15 (g) AUTHORIZATION OF APPROPRIATIONS.—There
16 are authorized to be appropriated, out of the Highway
17 Trust Fund (other than the Mass Transit Account), to
18 carry out this section \$360,420,595 for fiscal year 1996
19 and \$155,000,000 for fiscal year 1997.

20 (h) APPLICABILITY OF CHAPTER 1 OF TITLE 23.—
21 Except as otherwise provided in this section, funds allo-
22 cated under this section shall be available for obligation
23 in the same manner and for the same purposes as if such
24 funds were apportioned under chapter 1 of title 23, United
25 States Code.

1 (i) TERRITORIES DEFINED.—In this section, the
2 term “territories” means the Virgin Islands, Guam, Amer-
3 ican Samoa, and the Commonwealth of the Northern Mar-
4 iana Islands.

5 **SEC. 204. RESCISSIONS.**

6 (a) RESCISSIONS.—Effective October 1, 1995, and
7 after any necessary reductions are made under section
8 1003(c) of the Intermodal Surface Transportation Effi-
9 ciency Act of 1991, the following unobligated balances
10 available on September 30, 1995, of funds made available
11 for the following provisions are hereby rescinded:

12 (1) \$78,993.92 made available by section
13 131(c) of the Surface Transportation Assistance Act
14 of 1982.

15 (2) \$798,701.04 made available by section
16 131(j) of the Surface Transportation Assistance Act
17 of 1982.

18 (3) \$942,249 made available for section
19 149(a)(66) of the Surface Transportation and Uni-
20 form Relocation Assistance Act of 1987.

21 (4) \$88,195 made available for section
22 149(a)(111)(C) of the Surface Transportation and
23 Uniform Relocation Assistance Act of 1987.

1 (5) \$155,174.41 made available for section
2 149(a)(111)(E) of the Surface Transportation and
3 Uniform Relocation Assistance Act of 1987.

4 (6) \$36,979.05 made available for section
5 149(a)(111)(J) of the Surface Transportation and
6 Uniform Relocation Assistance Act of 1987.

7 (7) \$34,281.53 made available for section
8 149(a)(111)(K) of the Surface Transportation and
9 Uniform Relocation Assistance Act of 1987.

10 (8) \$164,532 made available for section
11 149(a)(111)(L) of the Surface Transportation and
12 Uniform Relocation Assistance Act of 1987.

13 (9) \$86,070.82 made available for section
14 149(a)(111)(M) of the Surface Transportation and
15 Uniform Relocation Assistance Act of 1987.

16 (10) \$52,834 made available for section
17 149(a)(95) of the Surface Transportation and Uni-
18 form Relocation Assistance Act of 1987.

19 (11) \$909,131 made available for section
20 149(a)(99) of the Surface Transportation and Uni-
21 form Relocation Assistance Act of 1987.

22 (12) \$3,817,000 made available for section
23 149(a)(35) of the Surface Transportation and Uni-
24 form Relocation Assistance Act of 1987.

1 (13) \$797,800 made available for section
2 149(a)(100) of the Surface Transportation and Uni-
3 form Relocation Assistance Act of 1987.

4 (14) \$2 made available by section 149(c)(3) of
5 the Surface Transportation and Uniform Relocation
6 Assistance Act of 1987.

7 (15) \$44,706,878 made available by section
8 1012(b)(6) of the Intermodal Surface Transpor-
9 tation Efficiency Act of 1991.

10 (16) \$15,401,107 made available by section
11 1003(a)(7) of the Intermodal Surface Transpor-
12 tation Efficiency Act of 1991.

13 (17) \$1,000,000 made available by item number
14 38 of the table contained in section 1108(b) of the
15 Intermodal Surface Transportation Efficiency Act of
16 1991.

17 (18) \$150,000,000 deducted by the Secretary
18 under section 104(a) of title 23, United States Code.

19 (19) \$10,800,000 made available by section
20 5338(a)(1) of title 49, United States Code.

21 (b) REDUCTIONS IN AUTHORIZED AMOUNTS.—

22 (1) MAGNETIC LEVITATION.—Section
23 1036(d)(1) of the Intermodal Surface Transpor-
24 tation Efficiency Act of 1991 (105 Stat. 1986) is
25 amended—

1 (A) in subparagraph (A) by inserting
2 “and” after “1994,”;

3 (B) in subparagraph (A) by striking
4 “, \$125,000,000” and all that follows through
5 “1997”; and

6 (C) in subparagraph (B) by striking
7 “1996, and 1997” and inserting “and 1996”.

8 (2) HIGHWAY SAFETY PROGRAMS.—Section
9 2005(1) of such Act (105 Stat. 2079) is amended—
10 (A) by striking “and” the first place it ap-
11 pears and inserting a comma; and

12 (B) by striking “, 1995, 1996, and 1997”
13 and inserting “and 1995, and \$146,000,000 for
14 each of fiscal years 1996 and 1997”.

15 (3) EFFECTIVE DATE.—The amendments made
16 by paragraphs (1) and (2) shall take effect on the
17 day after the date on which authorized funds for fis-
18 cal year 1996 are reduced as a result of application
19 of section 1003(c) of such Act.

20 (c) CONGESTION PRICING PILOT PROGRAM TRANS-
21 FERS.—After the date on which authorized funds for fiscal
22 year 1996 are reduced as a result of application of section
23 1003(c) of the Intermodal Surface Transportation Effi-
24 ciency Act of 1991, the amounts made available for fiscal
25 years 1996 and 1997 to carry out section 1012(b) of the

1 Intermodal Surface Transportation Efficiency Act of 1991
2 (105 Stat. 1938) shall be available to carry out section
3 203 of this Act, relating to the State high priority restora-
4 tion program.

5 **SEC. 205. STATE UNOBLIGATED BALANCE FLEXIBILITY.**

6 (a) REDUCTION IN FEDERAL FUNDING.—

7 (1) NOTIFICATION OF STATES.—On October 1,
8 1995, or as soon as possible thereafter, the Sec-
9 retary shall notify each State of the total amount of
10 the reduction in authorized funds for fiscal year
11 1996 that would have been allocated to such State,
12 and that would have been apportioned to such State,
13 as a result of application of section 1003(c) of the
14 Intermodal Surface Transportation Efficiency Act of
15 1991.

16 (2) EXCLUSION OF CERTAIN FUNDING.—In de-
17 termining the amount of any reduction under para-
18 graph (1), the Secretary shall deduct—

19 (A) the amount allocated to each State in
20 fiscal year 1996 to carry out section 203 of this
21 Act, relating to the State high priority project
22 restoration program; and

23 (B) any amounts made available under sec-
24 tion 157(a)(4)(B)(iii) of title 23, United States
25 Code, for fiscal year 1996.

1 (b) UNOBLIGATED BALANCE FLEXIBILITY.—Upon
2 request of a State, the Secretary shall make available to
3 carry out projects described in section 203(a) of this Act
4 in fiscal year 1996 an amount not to exceed the amount
5 determined under subsection (a) for the State. Such funds
6 shall be made available from authorized funds that were
7 allocated or apportioned to such State and were not obli-
8 gated as of September 30, 1995. The State shall designate
9 on or before November 1, 1995, or as soon as possible
10 thereafter which of such authorized funds are to be made
11 available under this section to carry out such projects. The
12 Secretary shall make available before November 15, 1995,
13 or as soon as possible thereafter funds designated under
14 the preceding sentence to the State.

15 (c) SPECIAL RULE FOR URBANIZED AREAS OF OVER
16 200,000.—Funds which were apportioned to the State
17 under section 104(b)(3) of title 23, United States Code,
18 and attributed to urbanized areas of a State with an ur-
19 banized population of over 200,000 under section
20 133(d)(3) of such title may only be designated by the
21 State under subsection (b) if the metropolitan planning
22 organization designated for such area concurs, in writing,
23 with such designation.

24 (d) CONGESTION MITIGATION AND AIR QUALITY
25 BALANCES.—States may designate under subsection (b)

1 funds apportioned under section 104(b)(2) of title 23,
2 United States Code, and not obligated as of September
3 30, 1995, to carry out projects described in section 203(a)
4 of this Act only if such funds will be obligated in areas
5 described in section 104(b)(2) of such title or, in the case
6 of a State which does not include such an area, the funds
7 may be obligated in any area of the State.

8 (e) INTERSTATE CONSTRUCTION BALANCES.—A
9 State may not designate under subsection (b) any more
10 than $\frac{1}{3}$ of funds apportioned or allocated to the State for
11 Interstate construction and not obligated as of September
12 30, 1995.

13 (f) PERIOD OF AVAILABILITY.—Notwithstanding any
14 other provision of law, amounts designated under sub-
15 section (b) shall be available for obligation for the same
16 period for which such amounts were originally made avail-
17 able for obligation and shall be subject to the provisions
18 of title 23, United States Code. Obligation limitations for
19 Federal-aid highways and highway safety construction
20 programs established by the Intermodal Surface Trans-
21 portation Efficiency Act of 1991 and subsequent laws
22 shall apply to obligations made under this section.

23 (g) LIMITATION ON STATUTORY CONSTRUCTION.—
24 Nothing in this section shall be construed to affect calcula-
25 tions to determine allocations to States under section 157

1 of title 23, United States Code, and sections 1013(c),
2 1015(a), and 1015(b) of the Intermodal Surface Trans-
3 portation Efficiency Act of 1991.

4 (h) STATE.—In this section and section 203, the
5 term “State” has the meaning such term has under sec-
6 tion 401 of title 23, United States Code.

7 **SEC. 206. MINIMUM ALLOCATION.**

8 (a) FORMULA.—Section 157(a)(4) of title 23, United
9 States Code, is amended—

10 (1) by striking “In fiscal” and inserting the
11 following:

12 “(A) IN GENERAL.—In fiscal”;

13 (2) by inserting “funds authorized to be appro-
14 priated by subsection (f)” after “shall allocate”;

15 (3) by moving subparagraph (A), as designated
16 by paragraph (1) of this subsection, 2 ems to the
17 right; and

18 (4) by adding at the end the following:

19 “(B) ADDITIONAL ALLOCATION.—If the
20 aggregate amount allocated to the States under
21 subparagraph (A) after application of section
22 1003(c) the Intermodal Surface Transportation
23 Efficiency Act of 1991 for any fiscal year be-
24 ginning after September 30, 1995, is less than
25 the amount authorized to be appropriated to

1 carry out this section for such fiscal year, then
2 the excess of such authorized amount shall be
3 allocated as follows:

4 “(i) The Secretary shall first allocate
5 to each State such amount as may be nec-
6 essary to increase the allocation under sub-
7 paragraph (A) to the amount that would
8 have been allocated to the State for such
9 fiscal year if the full amount of the funds
10 authorized to be appropriated for such fis-
11 cal year by such Act out of the Highway
12 Trust Fund (other than the Mass Transit
13 Account) were appropriated without regard
14 to such section 1003(c).

15 “(ii) If any of such excess remains
16 after the allocation under clause (i), the
17 Secretary shall allocate to each State such
18 amount as may be necessary so that the
19 amount authorized to be appropriated for
20 such fiscal year for each project to be car-
21 ried out in such State under sections 1103
22 through 1108 of such Act without regard
23 to section 1003(c) of such Act is available
24 for the project.

1 “(iii) The Secretary shall allocate
 2 among the States any excess remaining
 3 after the allocations under clauses (i) and
 4 (ii) so that each State is allocated the fol-
 5 lowing percentages of the remaining ex-
 6 cess:

| “States: | Percentages |
|----------------------------|-------------|
| Alabama | 1.80 |
| Alaska | 1.20 |
| Arizona | 1.43 |
| Arkansas | 1.42 |
| California | 9.17 |
| Colorado | 1.27 |
| Connecticut | 1.74 |
| Delaware | 0.39 |
| District of Columbia | 0.52 |
| Florida | 4.04 |
| Georgia | 2.92 |
| Hawaii | 0.54 |
| Idaho | 0.70 |
| Illinois | 3.88 |
| Indiana | 2.18 |
| Iowa | 1.27 |
| Kansas | 1.13 |
| Kentucky | 1.53 |
| Louisiana | 1.52 |
| Maine | 0.65 |
| Maryland | 1.68 |
| Massachusetts | 4.11 |
| Michigan | 2.75 |
| Minnesota | 1.69 |
| Mississippi | 1.11 |
| Missouri | 2.28 |
| Montana | 0.93 |
| Nebraska | 0.79 |
| Nevada | 0.69 |
| New Hampshire | 0.48 |
| New Jersey | 2.86 |
| New Mexico | 1.02 |
| New York | 5.35 |
| North Carolina | 2.62 |
| North Dakota | 0.64 |
| Ohio | 3.64 |
| Oklahoma | 1.36 |
| Oregon | 1.23 |
| Pennsylvania | 4.93 |
| Rhode Island | 0.56 |
| South Carolina | 1.42 |

| | |
|---------------------|-------|
| South Dakota | 0.69 |
| Tennessee | 2.00 |
| Texas | 6.21 |
| Utah | 0.73 |
| Vermont | 0.43 |
| Virginia | 2.28 |
| Washington | 2.05 |
| West Virginia | 1.15 |
| Wisconsin | 1.90 |
| Wyoming | 0.65 |
| Puerto Rico | 0.46 |
| Territories | 0.01. |

1 “(C) TERRITORIES DEFINED.—In this
2 paragraph, the term ‘territories’ means the Vir-
3 gin Islands, Guam, American Samoa, and the
4 Commonwealth of the Northern Mariana Is-
5 lands.”.

6 (b) SPECIAL RULE FOR URBANIZED AREAS OF OVER
7 200,000 IN FISCAL YEARS 1996 AND 1997.—Section 157
8 of such title is amended—

9 (1) by redesignating subsections (d) and (e) as
10 subsection (e) and (f), respectively, and

11 (2) by inserting after subsection (c) the follow-
12 ing:

13 “(d) SPECIAL RULE FOR URBANIZED AREAS OF
14 OVER 200,000 IN FISCAL YEARS 1996 AND 1997.—

15 “(1) GENERAL RULE.—The percentage deter-
16 mined under paragraph (2) of funds allocated to a
17 State under subsection (a)(4)(B)(iii) for each of fis-
18 cal years 1996 and 1997 shall be obligated in urban-
19 ized areas of the State with an urbanized population
20 of over 200,000 under section 133(d)(3).

1 “(2) PERCENTAGE.—The percentage referred to
2 in paragraph (1) is the percentage determined by di-
3 viding—

4 “(A) the total amount of the reduction in
5 funds which would have been attributed under
6 section 133(d)(3) to urbanized areas of the
7 State with an urbanized population of over
8 200,000 for fiscal year 1996 as a result of the
9 application of section 1003(c) of the Intermodal
10 Surface Transportation Efficiency Act of 1991;
11 by

12 “(B) the total amount of the reduction in
13 authorized funds for fiscal year 1996 that
14 would have been allocated to the State, and
15 that would have been apportioned to the State,
16 as a result of the application of such section
17 1003(c).”.

18 (c) FUNDING.—Section 157(f) of such title, as redes-
19 ignated by subsection (b), is amended by inserting before
20 the period the following: “and before October 1, 1995,
21 \$1,101,000,000 for fiscal year 1996, \$1,378,000,000 for
22 fiscal year 1997”.

23 **SEC. 207. RELIEF FROM MANDATES.**

24 (a) MANAGEMENT SYSTEMS.—The Secretary shall
25 not take any action pursuant to or enforce the provisions

1 of section 303(c) of title 23, United States Code, with re-
2 spect to any State during fiscal year 1996.

3 (b) ASPHALT PAVEMENT CONTAINING RECYCLED
4 RUBBER.—Section 1038 of the Intermodal Surface Trans-
5 portation Efficiency Act of 1991 (105 Stat. 1987–1990)
6 is amended—

7 (1) by striking subsection (d); and

8 (2) by redesignating subsection (e) as sub-
9 section (d).

10 **SEC. 208. DEFINITIONS.**

11 In this title, the following definitions apply:

12 (1) AUTHORIZED FUNDS.—The term “author-
13 ized funds” means funds authorized to be appro-
14 priated out of the Highway Trust Fund (other than
15 the Mass Transit Account) to carry out title 23,
16 United States Code (other than sections 402 and
17 410) and the Intermodal Surface Transportation Ef-
18 ficiency Act of 1991 and subject to an obligation
19 limitation.

20 (2) URBANIZED AREA.—The term “urbanized
21 area” has the meaning such term has under section
22 101(a) of title 23, United States Code.

1 **TITLE III—MISCELLANEOUS**
2 **PROVISIONS**

3 **SEC. 301. DISTRIBUTION OF TRANSIT OPERATING ASSIST-**
4 **ANCE LIMITATION.**

5 (a) IN GENERAL.—Notwithstanding any limitation
6 otherwise imposed on operating assistance under section
7 5307 of title 49, United States Code, the Secretary shall
8 distribute such limitation so that each urbanized area (as
9 such term is defined under section 5302 of such title) that
10 had a population under the 1990 decennial census of the
11 United States of less than 200,000 will receive, under the
12 distribution of such limitation for fiscal year 1996, 75 per-
13 cent of the amount the area received under the distribu-
14 tion of such limitation for fiscal year 1995.

15 (b) CONSIDERATION.—In the distribution of the limi-
16 tation referred to in subsection (a) to urbanized areas that
17 had a population under the 1990 decennial census of
18 1,000,000 or more, the Secretary shall direct each such
19 area to give priority consideration to the impact of reduc-
20 tions in operating assistance on smaller transit authorities
21 operating within the area and to consider the needs and
22 resources of such transit authorities when the limitation
23 is distributed among all transit authorities operating in
24 the area.

1 **SEC. 302. ACCOUNTABILITY FOR HIGH COST FEDERAL-AID**
2 **PROJECTS.**

3 (a) REQUIREMENTS.—The Secretary shall require
4 each recipient of Federal financial assistance for a high-
5 way or transit project with an estimated total cost of
6 \$1,000,000,000 or more to submit to the Secretary an an-
7 nual financial plan. Such plan shall be based on detailed
8 annual estimates of the cost to complete the remaining
9 elements of the project and on reasonable assumptions,
10 as determined by the Secretary, of future increases in the
11 cost to complete the project.

12 (b) RECOMMENDATIONS ON WITHHOLDING OF AS-
13 SISTANCE.—As part of an annual report to be submitted
14 under subsection (c), the Secretary shall make a rec-
15 ommendation to Congress on whether or not future Fed-
16 eral assistance should be withheld with respect to any
17 project described in subsection (a) for which an annual
18 financial plan is not submitted under subsection (a) or for
19 which the Secretary determines that the estimates or as-
20 sumptions referred to in subsection (a) are not reasonable.

21 (c) REPORT.—The Secretary shall submit to Con-
22 gress an annual report on the financial plans submitted
23 to the Secretary under this section, and any recommenda-
24 tion made by the Secretary under subsection (b), in the
25 preceding fiscal year.

1 **SEC. 303. LETTERS OF INTENT AND FULL FINANCING**
2 **GRANT AND EARLY SYSTEMS WORK**
3 **AGREEMENTS.**

4 Section 5309(g) of title 49, United States Code, is
5 amended—

6 (1) by indenting and dropping paragraph (1)
7 down 1 line;

8 (2) by moving all the paragraphs, subpara-
9 graphs, and clauses of such section 2 ems to the
10 right;

11 (3) by inserting after “(1)” the first place it ap-
12 pears the following: “LETTERS OF INTENT.—”;

13 (4) in paragraph (1)(B) by striking “Public
14 Works and Transportation” and inserting “Trans-
15 portation and Infrastructure”;

16 (5) by inserting after (2) the first place it ap-
17 pears “FULL FINANCING GRANT AGREEMENTS.—”;

18 (6) by inserting after (3) the first place it ap-
19 pears “EARLY SYSTEM WORK AGREEMENTS.—”;

20 (7) by inserting after (4) the first place it ap-
21 pears “TOTAL ESTIMATED FUTURE OBLIGATIONS
22 AND CONTINGENT COMMITMENTS.—”; and

23 (8) by adding at the end the following:

24 “(5) PREAUTHORIZATION OF FULL FEDERAL
25 FINANCIAL RESPONSIBILITY.—

1 “(A) IN GENERAL.—After the date of the
2 enactment of this paragraph and before the
3 date on which Federal-aid highway and transit
4 programs are reauthorized, the Secretary of
5 Transportation may not issue a letter of intent,
6 or enter into a full financing grant agreement
7 or early systems work agreement, under this
8 section for a project or operable segment of a
9 project unless the full amount of Federal finan-
10 cial responsibility for the project or operable
11 segment of a project has been included in an
12 authorization law.

13 “(B) LIMITATION.—The prohibition on en-
14 tering into a full financing grant agreement
15 under this paragraph shall not apply—

16 “(i) to any project for which a letter
17 of intent was issued before the date of the
18 enactment of this paragraph; and

19 “(ii) to any project included as an ele-
20 ment of an interrelated project which also
21 includes another project for which a letter
22 of intent was issued before such date of
23 enactment.”.

1 **SEC. 304. REPORT ON CAPITAL PROJECTS FOR FIXED**
2 **GUIDEWAY SYSTEMS AND EXTENSIONS TO**
3 **EXISTING FIXED GUIDEWAY SYSTEMS.**

4 Section 5309(m) of title 49, United States Code, is
5 amended—

6 (1) by indenting and dropping paragraph (1)
7 down 1 line;

8 (2) by moving all the paragraphs and subpara-
9 graphs of such section 2 ems to the right;

10 (3) by inserting “PERCENTAGES.—” after
11 “(1)” the first place it appears;

12 (4) by inserting “NONURBANIZED AREA ALLO-
13 CATION.—” after “(2)” the first place it appears;

14 (5) by inserting “REPORTS.—” after “(3)” the
15 first place it appears;

16 (6) in paragraph (3) by striking “Public Works
17 and Transportation” and inserting “Transportation
18 and Infrastructure”;

19 (7) in paragraph (3) by striking “a proposal on
20 the allocation” and inserting “a report on the pro-
21 posed allocation”;

22 (8) in paragraph (3) by adding at the end the
23 following:

24 “Such report shall include for each such capital
25 project the following:

1 “(A) An analysis of the potential funding
2 requirements of the project under paragraph
3 (1)(B) in the succeeding 5 fiscal years.

4 “(B) A description of the planning and
5 study process undertaken to select the locally
6 preferred alternative for the project.

7 “(C) A description of efforts undertaken to
8 seek alternative funding sources for the
9 project.”; and
10 (9) by inserting “MULTIPLE ALLOCATIONS.—”
11 after “(4)” the first place it appears.

12 **SEC. 305. REPEAL AND MODIFICATION OF EXISTING**
13 **PROJECTS.**

14 (a) LONG BEACH METRO LINK FIXED RAIL
15 PROJECT.—Section 3035(o) of the Intermodal Surface
16 Transportation Efficiency Act of 1991 (105 Stat. 2131)
17 is repealed.

18 (b) HONOLULU RAPID TRANSIT PROJECT.—Section
19 3035(ww) of such Act (105 Stat. 2136) is amended by
20 striking “\$618,000,000” and inserting “\$541,100,000”.

21 **SEC. 306. MISCELLANEOUS TRANSIT PROJECTS.**

22 (a) NEW JERSEY URBAN CORE PROJECT.—Section
23 3031(d) of the Intermodal Surface Transportation Effi-
24 ciency Act of 1991 (105 Stat. 2122–2123) is amended—

1 (1) by inserting after “Hudson River Water-
2 front Transportation System” the following: “(in-
3 cluding corridor connections to and within the city
4 of Bayonne)”; and

5 (2) by inserting after “Concourse,” the follow-
6 ing: “the West Shore Line,”.

7 (b) NORTH BAY FERRY SERVICE.—Section 3035(c)
8 of such Act (105 Stat. 2129) is amended by striking
9 “\$8,000,000” and all that follows through “1993” and in-
10 serting “\$17,000,000”.

11 (c) STATEN ISLAND-MIDTOWN MANHATTAN FERRY
12 SERVICE.—Section 3035(d) of such Act is amended by
13 striking “\$1,000,000” and all that follows through
14 “1993” and inserting “\$12,000,000”.

15 (d) CENTRAL AREA CIRCULATOR PROJECT.—Section
16 3035(e) of such Act is amended by striking the last sen-
17 tence which begins “Such amount”.

18 (e) SALT LAKE CITY LIGHT RAIL PROJECT.—Sec-
19 tion 3035(f) of such Act is amended by inserting after
20 “including” the following: “related high-occupancy vehicle
21 lane, intermodal corridor design,”.

22 (f) LOS ANGELES-SAN DIEGO RAIL CORRIDOR IM-
23 PROVEMENT PROJECT.—Section 3035(g) of such Act is
24 amended by striking “not less than” the 1st place it ap-

1 pears and all that follows through “1994” and inserting
2 “\$20,000,000”.

3 (g) SAN JOSE-GILROY-HOLLISTER COMMUTER RAIL
4 PROJECT.—Section 3035(h) of such Act is amended—

5 (1) by striking “July 1, 1994” and inserting
6 “September 30, 1996”; and

7 (2) by striking “August 1, 1994,” and inserting
8 “October 31, 1996,”.

9 (h) DALLAS LIGHT RAIL PROJECT.—

10 (1) MULTIYEAR GRANT AGREEMENT.—Section
11 3035(i) of such Act is amended—

12 (A) by striking “6.4 miles” and inserting
13 “9.6 miles”;

14 (B) by striking “10 stations” and inserting
15 “not to exceed 14 stations”;

16 (C) by striking “such light rail line” and
17 inserting “the program of interrelated projects
18 identified in section 5328(c)(1)(G) of title 49,
19 United States Code,”; and

20 (D) by striking “of such elements” and in-
21 serting “element of such program of inter-
22 related projects”.

23 (2) PROGRAM OF INTERRELATED PROJECTS.—
24 Section 5328(c)(1)(G) of title 49, United States

1 Code, is amended by striking “Camp Wisdom” and
2 inserting “Interstate Route 20, L.B.J. Freeway”.

3 (i) KANSAS CITY LIGHT RAIL LINE.—Section
4 3035(k) of such Act is amended by striking “\$1,500,000
5 in fiscal year 1992, and \$4,400,000 in fiscal year 1993”
6 and inserting “\$5,900,000”.

7 (j) DOWNTOWN ORLANDO CIRCULATOR PROJECT.—
8 Section 3035(l) of such Act is amended—

9 (1) by striking the subsection heading and in-
10 serting “DOWNTOWN ORLANDO CIRCULATOR
11 PROJECT”;

12 (2) by striking “No later than April 30, 1992,
13 the” and inserting “The”;

14 (3) by striking “for” the second place it ap-
15 pears and all that follows through the period at the
16 end and inserting “and the completion of final de-
17 sign, construction, land and equipment acquisition,
18 and related activities for the Downtown Orlando
19 Circulator project.”.

20 (k) DETROIT LIGHT RAIL PROJECT.—Section
21 3035(m) of such Act is amended by striking “not less
22 than” the first place it appears and all that follows
23 through “1993,” and inserting “\$20,000,000”.

24 (l) LAKEWOOD-FREEHOLD-MATAWAN OR JAMES-
25 BURG RAIL PROJECT.—Section 3035(p) of such Act is

1 amended by striking “\$1,800,000” and all that follows
2 through “1994” and inserting “\$7,800,000”.

3 (m) CHARLOTTE LIGHT RAIL STUDY.—Section
4 3035(r) of such Act is amended by striking “\$125,000”
5 and all that follows through “1993” and inserting
6 “\$500,000”.

7 (n) SAN DIEGO MID COAST FIXED GUIDEWAY
8 PROJECT.—Section 3035(u) of such Act is amended—

9 (1) in the subsection heading by striking “MID
10 COAST LIGHT RAIL PROJECT” and inserting “MET-
11 ROPOLITAN TRANSIT IMPROVEMENT PROGRAM”;

12 (2) by striking “No later than April 30, 1992,
13 the” and inserting “The”; and

14 (3) by striking “, \$2,000,000” and all that fol-
15 lows through the period and inserting “\$27,000,000
16 for the integrated project financing of the San Diego
17 Mid Coast and Mission Valley East Corridor fixed
18 guideway projects.”.

19 (o) EUREKA SPRINGS, ARKANSAS.—Section 3035(z)
20 of such Act is amended by striking the text and inserting
21 the following: “From funds made available under section
22 5309(m)(1)(C) of title 49, United States Code, the Sec-
23 retary shall make available \$63,600 to Eureka Springs
24 Transit for the purchase of an alternative fueled vehicle

1 which is accessible to and usable by individuals with dis-
2 abilities.”.

3 (p) BALTIMORE-WASHINGTON TRANSPORTATION IM-
4 PROVEMENTS PROGRAM.—Section 3035(nn) of such Act
5 is amended—

6 (1) in paragraph (1) by striking “as follows:”
7 and all that follows through “1994.” and inserting
8 “and shall be \$60,000,000.”;

9 (2) in paragraph (2) by striking “as follows:”
10 and all that follows through the period at the end
11 of subparagraph (C) and inserting “and shall total
12 \$160,000,000.”; and

13 (3) in paragraph (3) by striking “for fiscal year
14 1993”.

15 (q) DULLES CORRIDOR RAIL PROJECT.—Section
16 3035(aaa) of such Act is amended—

17 (1) by striking “No later than April 30, 1992,
18 the” and inserting “The”; and

19 (2) by striking “the completion” and all that
20 follows through “engineering for”.

21 (r) CENTRAL PUGET SOUND REGIONAL TRANSIT
22 PROJECT.—Section 3035(bbb) of such Act is amended to
23 read as follows:

24 “(bbb) CENTRAL PUGET SOUND REGIONAL TRANSIT
25 PROJECT.—From funds made available under section

1 5309(m)(1)(B) of title 49, United States Code, the Sec-
2 retary shall make available \$300,000,000 for the Central
3 Puget Sound Regional Transit Project.”.

4 (s) CANAL STREET CORRIDOR LIGHT RAIL.—Section
5 3035(fff) of such Act is amended—

6 (1) by striking “No later than April 30, 1992,
7 the” and inserting “The”; and

8 (2) by striking “negotiate” and all that follows
9 through “includes” and inserting “make available”.

10 (t) ADDITIONAL TRANSIT PROJECTS.—

11 (1) CANTON-AKRON-CLEVELAND COMMUTER
12 RAIL.—From funds made available under section
13 5309(m)(1)(B) of title 49, United States Code, the
14 Secretary shall make available \$6,500,000 for the
15 Canton-Akron-Cleveland Commuter Rail project.

16 (2) CINCINNATI NORTHEAST/NORTHERN KEN-
17 TUCKY RAIL.—From funds made available under
18 such section, the Secretary shall make available
19 \$2,000,000 for the Cincinnati Northeast/Northern
20 Kentucky Rail project.

21 (3) DART NORTH CENTRAL LIGHT RAIL EX-
22 TENSION.—From funds made available under such
23 section, the Secretary shall make available
24 \$2,500,000 for the DART North Central Light Rail
25 Extension project.

1 (4) DALLAS-FORT WORTH RAILTRAN.—From
2 funds made available under such section, the Sec-
3 retary shall make available \$5,000,000 for the Dal-
4 las-Fort Worth RAILTRAN project.

5 (5) FLORIDA TRI-COUNTY COMMUTER RAIL.—
6 From funds made available under such section, the
7 Secretary shall make available \$10,000,000 for the
8 Florida Tri-County Commuter Rail project.

9 (6) MIAMI-NORTH 27TH AVENUE.—From funds
10 made available under such section, the Secretary
11 shall make available \$2,000,000 for the Miami-
12 North 27th Avenue project.

13 (7) MEMPHIS, TENNESSEE, REGIONAL RAIL
14 PLAN.—From funds made available under such sec-
15 tion, the Secretary shall make available \$2,500,000
16 for the Memphis, Tennessee, Regional Rail Plan
17 project.

18 (8) NEW ORLEANS CANAL STREET CORRIDOR.—
19 From funds made available under such section, the
20 Secretary shall make available \$10,000,000 for the
21 New Orleans Canal Street Corridor project.

22 (9) ORANGE COUNTY TRANSITWAY.—From
23 funds made available under such section, the Sec-
24 retary shall make available \$5,000,000 for the Or-
25 ange County Transitway project.

1 (10) WHITEHALL FERRY TERMINAL, NEW
2 YORK, NEW YORK.—From funds made available
3 under such section, the Secretary shall make avail-
4 able \$5,000,000 for the Whitehall Ferry Terminal
5 project.

6 (11) WISCONSIN CENTRAL COMMUTER.—From
7 funds made available under such section, the Sec-
8 retary shall make available \$14,400,000 for the Wis-
9 consin Central Commuter project.

10 (12) SAN JUAN, PUERTO RICO, TREN
11 URBANO.—From funds made available under such
12 section, the Secretary shall make available
13 \$15,000,000 for the San Juan, Puerto Rico, Tren
14 Urbano project.

15 (13) TAMPA TO LAKE LAND COMMUTER RAIL.—
16 From funds made available under such section, the
17 Secretary shall make available \$1,000,000 for the
18 Tampa to Lakeland Commuter Rail project.

19 **SEC. 307. METROPOLITAN PLANNING FOR TRANSIT**
20 **PROJECTS.**

21 Section 5303(b) of title 49, United States Code, is
22 amended by adding at the end the following:

23 “(16) recreational travel and tourism.”.

1 **SEC. 308. CONTRACTING FOR ENGINEERING AND DESIGN**
2 **SERVICES.**

3 Section 5325 of title 49, United States Code, is
4 amended by adding at the end the following:

5 “(e) SPECIAL RULES FOR ENGINEERING AND DE-
6 SIGN CONTRACTS.—

7 “(1) PERFORMANCE AND AUDITS.—Any con-
8 tract or subcontract awarded in accordance with
9 subsection (d), whether funded in whole or in part
10 with Federal transit funds, shall be performed and
11 audited in compliance with cost principles contained
12 in the Federal acquisition regulations of part 31 of
13 title 48 of the Code of Federal Regulations.

14 “(2) INDIRECT COST RATES.—Instead of per-
15 forming its own audits, a recipient of funds under
16 a contract or subcontract awarded in accordance
17 with subsection (d) shall accept indirect cost rates
18 established in accordance with the Federal acquisi-
19 tion regulations for 1-year applicable accounting pe-
20 riods by a cognizant Federal or State government
21 agency, if such rates are not currently under dis-
22 pute. Once a firm’s indirect cost rates are accepted,
23 the recipient of such funds shall apply such rates for
24 the purposes of contract estimation, negotiation, ad-
25 ministration, reporting, and contract payment and
26 shall not be limited by administrative or de facto

1 ceilings of any kind. A recipient of such funds re-
2 requesting or using the cost and rate data described
3 in this paragraph shall notify any affected firm be-
4 fore such request or use. Such data shall be con-
5 fidential and shall not be accessible or provided, in
6 whole or in part, to another firm or to any govern-
7 ment agency which is not part of the group of agen-
8 cies sharing cost data under this paragraph, except
9 by written permission of the audited firm. If prohib-
10 ited by law, such cost and rate data shall not be dis-
11 closed under any circumstances.

12 “(3) STATE OPTION.—Paragraphs (1) and (2)
13 shall take effect 2 years after the date of the enact-
14 ment of this subsection with respect to all States;
15 except that if a State, during such 2-year period,
16 adopts by statute an alternative process intended to
17 promote engineering and design quality and ensure
18 maximum competition by professional companies of
19 all sizes providing engineering and design services,
20 such paragraphs shall not apply with respect to such
21 State.”.

22 **SEC. 309. FERRY BOATS AND TERMINAL FACILITIES.**

23 Section 129(c)(5) of title 23, United States Code, is
24 amended—

1 (1) by inserting before the period at the end of
2 the first sentence the following: “or between a point
3 in a State and a point in the Dominion of Canada”;
4 and

5 (2) in the second sentence by inserting after
6 “Puerto Rico” the following: “, between a point in
7 a State and a point in the Dominion of Canada,”.

8 **SEC. 310. UTILIZATION OF THE PRIVATE SECTOR FOR SUR-**
9 **VEYING AND MAPPING SERVICES.**

10 Section 306 of title 23, United States Code, is
11 amended—

12 (1) by inserting “(a) IN GENERAL.—” before
13 “In”; and

14 (2) by adding at the end the following:

15 “(b) GUIDANCE.—The Secretary shall issue guidance
16 to encourage States to utilize, to the maximum extent
17 practicable, private sector sources for surveying and map-
18 ping services for highway projects under this title. In car-
19 rying out this subsection, the Secretary shall determine
20 appropriate roles for State and private mapping and sur-
21 veying activities, including—

22 “(1) preparation of standards and specifica-
23 tions;

1 “(2) research in surveying and mapping instru-
2 mentation and procedures and technology transfer to
3 the private sector;

4 “(3) providing technical guidance, coordination,
5 and administration of State surveying and mapping
6 activities; and

7 “(4) establishing a schedule with quantifiable
8 goals for increasing the use by the States of private
9 sector sources for surveying and mapping activi-
10 ties.”.

11 **SEC. 311. FORMULA GRANT PROGRAM.**

12 (a) TRANSIT SECURITY SYSTEMS.—Section
13 5307(d)(1)(J)(i) of title 49, United States Code, is
14 amended by inserting before “and any other” the follow-
15 ing: “employing law enforcement or security personnel in
16 areas within or adjacent to such systems,”.

17 (b) FERRYBOAT OPERATIONS.—For purposes of cal-
18 culating apportionments under section 5336 of title 49,
19 United States Code, for fiscal years beginning after Sep-
20 tember 30, 1995, 50 percent of the ferryboat revenue vehi-
21 cle miles and 50 percent of the ferryboat route miles at-
22 tributable to service provided to the city of Avalon, Califor-
23 nia, for which the operator receives public assistance shall
24 be included in the calculation of “fixed guideway vehicle
25 revenue miles” and “fixed guideway route miles” attrib-

1 utable to the Los Angeles urbanized area under sections
2 5336(b)(2)(A) and 5335 of such title.

3 **SEC. 312. ACCESSIBILITY OF OVER-THE-ROAD BUSES TO IN-**
4 **DIVIDUALS WITH DISABILITIES.**

5 Section 306(a)(2)(B)(iii) of the Americans With Dis-
6 abilities Act of 1990 (42 U.S.C. 12186(a)(2)(B)(iii)) is
7 amended—

8 (1) in subclause (I) by striking “7 years after
9 the date of the enactment of this Act” and inserting
10 “3 years after the date of issuance of final regula-
11 tions under subparagraph (B)(ii)”;

12 (2) in subclause (II) by striking “6 years after
13 such date of enactment” and inserting “2 years
14 after the date of issuance of such final regulations”.

15 **SEC. 313. ALASKA RAILROAD.**

16 Section 5337(a)(3)(B) of title 49, United States
17 Code, is amended by adding at the end the following: “The
18 Alaska Railroad is eligible for assistance under this sub-
19 paragraph with respect to improvements to its passenger
20 operations.”.

21 **SEC. 314. ALCOHOL AND CONTROLLED SUBSTANCES**
22 **TESTING.**

23 (a) **MASS TRANSIT TESTING.**—Section
24 5331(b)(1)(A) of title 49, United States Code, is amended
25 to read as follows:

1 “(b) TESTING PROGRAM FOR MASS TRANSPOR-
2 TATION EMPLOYEES.—(1)(A) In the interest of mass
3 transportation safety, the Secretary shall prescribe regula-
4 tions that establish a program requiring mass transpor-
5 tation operations that receive financial assistance under
6 section 5307, 5309, or 5311 of this title or section
7 103(e)(4) of title 23 to conduct preemployment, reason-
8 able suspicion, random, and post-accident testing of mass
9 transportation employees responsible for safety-sensitive
10 functions (as decided by the Secretary) for the use of a
11 controlled substance in violation of law or a United States
12 Government regulation, and to conduct reasonable sus-
13 picion, random, and post-accident testing of such employ-
14 ees for the use of alcohol in violation of law or a United
15 States Government regulation. The regulations shall per-
16 mit such operations to conduct preemployment testing of
17 such employees for the use of alcohol.”.

18 (b) RAILROAD TESTING.—Section 20140(b)(1)(A) of
19 title 49, United States Code, is amended to read as fol-
20 lows:

21 “(A) a railroad carrier to conduct
22 preemployment, reasonable suspicion, random, and
23 post-accident testing of all railroad employees re-
24 sponsible for safety-sensitive functions (as decided
25 by the Secretary) for the use of a controlled sub-

1 stance in violation of law or a United States Govern-
2 ment regulation, and to conduct reasonable sus-
3 picion, random, and post-accident testing of such
4 employees for the use of alcohol in violation of law
5 or a United States Government regulation; the regu-
6 lations shall permit such railroad carriers to conduct
7 preemployment testing of such employees for the use
8 of alcohol; and”.

9 (c) MOTOR CARRIER TESTING.—Section
10 31306(b)(1)(A) of such title is amended to read as follows:

11 “(b) TESTING PROGRAM FOR OPERATORS OF COM-
12 MERCIAL MOTOR VEHICLES.—(1)(A) In the interest of
13 commercial motor vehicle safety, the Secretary of Trans-
14 portation shall prescribe regulations that establish a pro-
15 gram requiring motor carriers to conduct preemployment,
16 reasonable suspicion, random, and post-accident testing of
17 operators of commercial motor vehicles for the use of con-
18 trolled substance in violation of law or a United States
19 Government regulation and to conduct reasonable sus-
20 picion, random, and post-accident testing of such opera-
21 tors for the use of alcohol in violation of law or a United
22 States Government regulation. The regulations shall per-
23 mit such motor carriers to conduct preemployment testing
24 of such employees for the use of alcohol.”.

25 (d) AVIATION TESTING.—

1 (1) PROGRAM FOR EMPLOYEES OF AIR CAR-
2 RIERS AND FOREIGN AIR CARRIERS.—Section
3 45102(a)(1) of title 49, United States Code, is
4 amended to read as follows:

5 “(a) PROGRAM FOR EMPLOYEES OF AIR CARRIERS
6 AND FOREIGN AIR CARRIERS.—(1) In the interest of avia-
7 tion safety, the Administrator of the Federal Aviation Ad-
8 ministration shall prescribe regulations that establish a
9 program requiring air carriers and foreign air carriers to
10 conduct preemployment, reasonable suspicion, random,
11 and post-accident testing of airmen, crewmembers, airport
12 security screening contract personnel, and other air carrier
13 employees responsible for safety-sensitive functions (as de-
14 cided by the Administrator) for the use of a controlled
15 substance in violation of law or a United States Govern-
16 ment regulation; and to conduct reasonable suspicion, ran-
17 dom, and post-accident testing of airmen, crewmembers,
18 airport security screening contract personnel, and other
19 air carrier employees responsible for safety-sensitive func-
20 tions (as decided by the Administrator) for the use of alco-
21 hol in violation of law or a United States Government reg-
22 ulation. The regulations shall permit air carriers and for-
23 eign air carriers to conduct preemployment testing of air-
24 men, crewmembers, airport security screening contract
25 personnel, and other air carrier employees responsible for

1 safety-sensitive functions (as decided by the Adminis-
2 trator) for the use of alcohol.”.

3 (2) PROGRAM FOR EMPLOYEES OF THE FED-
4 ERAL AVIATION ADMINISTRATION.—Section
5 45102(b)(1) of title 49, United States Code, is
6 amended to read as follows:

7 “(b) PROGRAM FOR EMPLOYEES OF THE FEDERAL
8 AVIATION ADMINISTRATION.—(1) The Administrator
9 shall establish a program of preemployment, reasonable
10 suspicion, random, and post-accident testing for the use
11 of a controlled substance in violation of law or a United
12 States Government regulation for employees of the Admin-
13 istration whose duties include responsibility for safety-sen-
14 sitive functions and shall establish a program of reason-
15 able suspicion, random and post-accident testing for the
16 use of alcohol in violation of law or a United States Gov-
17 ernment regulation for such employees. The Administrator
18 may establish a program of preemployment testing for the
19 use of alcohol for such employees.”.

20 **SEC. 315. ALCOHOL-IMPAIRED DRIVING COUNTER-**
21 **MEASURES.**

22 (a) TECHNICAL AMENDMENT.—Section 410(d)(1)(E)
23 of title 23, United States Code, is amended by striking
24 “the date of enactment of this section” and inserting “De-
25 cember 18, 1991”.

1 (b) BASIC GRANT ELIGIBILITY.—Section 410(d) of
2 such title is further amended—

3 (1) in paragraph (3)—

4 (A) by inserting “(A)” after “(3)”; and

5 (B) by adding at the end the following:

6 “(B) A State shall be treated as having met the
7 requirement of this paragraph if—

8 “(i) the State provides to the Secretary a
9 written certification that the highest court of
10 the State has issued a decision indicating that
11 implementation of subparagraph (A) would con-
12 stitute a violation of the constitution of the
13 State; and

14 “(ii) the State demonstrates to the satis-
15 faction of the Secretary—

16 “(I) that the alcohol fatal crash in-
17 volvement rate in the State has decreased
18 in each of the 3 most recent calendar years
19 for which statistics for determining such
20 rate are available; and

21 “(II) that the alcohol fatal crash in-
22 volvement rate in the State has been lower
23 than the average such rate for all States in
24 each of such calendar years.”; and

25 (2) by adding at the end the following:

1 “(7) Any individual under age 21 with a blood
2 alcohol concentration of 0.02 percent or greater
3 when driving a motor vehicle shall be deemed to be
4 driving while intoxicated.”.

5 (c) SUPPLEMENTAL GRANTS.—Section 410(f) of
6 such title is amended by striking paragraph (1) and redes-
7 ignating paragraphs (2) through (7) as paragraphs (1)
8 through (6), respectively.

9 **SEC. 316. SAFETY RESEARCH INITIATIVES.**

10 (a) OLDER DRIVERS AND OTHER SPECIAL DRIVER
11 GROUPS.—

12 (1) STUDY.—The Secretary shall conduct a
13 study of technologies and practices to improve the
14 driving performance of older drivers and other spe-
15 cial driver groups.

16 (2) DEMONSTRATION ACTIVITIES.—In conduct-
17 ing the study under paragraph (1), the Secretary
18 shall undertake demonstration activities which incor-
19 porate and build upon gerontology research related
20 to the study of the normal aging process. The Sec-
21 retary shall initially implement such activities in
22 those States which have the highest population of
23 aging citizens for whom driving a motor vehicle is
24 their primary mobility mode.

1 (3) COOPERATIVE AGREEMENT.—The Secretary
2 shall carry out the study under paragraph (1) by en-
3 tering into a cooperative agreement with an institu-
4 tion that has demonstrated competencies in geronto-
5 logical research, population demographics, human
6 factors related to transportation, and advanced tech-
7 nology applied to transportation.

8 (b) WORK ZONE SAFETY.—In carrying out the work
9 zone safety program under section 1051 of the Intermodal
10 Surface Transportation Efficiency Act of 1991, the Sec-
11 retary shall utilize a variety of methods to increase safety
12 at highway construction sites, including each of the follow-
13 ing:

14 (1) Conferences to explore new techniques and
15 stimulate dialogue for improving work zone safety.

16 (2) Creation of a national clearinghouse to as-
17 semble and disseminate, by electronic and other
18 means, information relating to the improvement of
19 work zone safety.

20 (3) A national promotional campaign in co-
21 operation with the States to provide timely, site-spe-
22 cific information to motorists when construction
23 workers are actually present.

24 (c) RADIO AND MICROWAVE TECHNOLOGY FOR
25 MOTOR VEHICLE SAFETY WARNING SYSTEM.—

1 (1) STUDY.—The Secretary shall conduct a
2 study to develop and evaluate radio and microwave
3 technology for a motor vehicle safety warning system
4 in furtherance of safety in all types of motor vehi-
5 cles.

6 (2) EQUIPMENT.—Equipment developed under
7 the study to be conducted under subsection (a) shall
8 be directed toward, but not limited to, advance
9 warning to operators of all types of motor vehicles
10 of—

11 (A) temporary obstructions in a highway;

12 (B) poor visibility and highway surface
13 conditions caused by adverse weather; and

14 (C) movement of emergency vehicles.

15 (3) SAFETY APPLICATIONS.—In conducting the
16 study under paragraph (1), the Secretary shall de-
17 termine whether the technology described in this
18 subsection has other appropriate safety applications.

19 **SEC. 317. PUBLIC TRANSIT VEHICLES EXEMPTION.**

20 Section 1023(h)(1) of the Intermodal Surface Trans-
21 portation Efficiency Act of 1991 (23 U.S.C. 127 note) is
22 amended—

23 (1) by striking “2-year” the first place it ap-
24 pears and all that follows through “Act,” and insert-
25 ing “period beginning on October 6, 1992, and end-

1 ing on the date on which Federal-aid highway and
2 transit programs are reauthorized after the date of
3 the enactment of the National Highway System Des-
4 ignation Act of 1995,”; and

5 (2) by striking the second sentence.

6 **SEC. 318. CONGESTION MITIGATION AND AIR QUALITY IM-**
7 **PROVEMENT PROGRAM.**

8 (a) AREAS ELIGIBLE FOR FUNDS.—

9 (1) IN GENERAL.—The first sentence of section
10 149(b) of title 23, United States Code, is amend-
11 ed—

12 (A) by inserting “if the project or program
13 is for an area in the State that was designated
14 as a nonattainment area under section 107(d)
15 of the Clean Air Act (42 U.S.C. 7407(d)) dur-
16 ing any part of fiscal year 1994 and” after
17 “program” the 2nd place it appears; and

18 (B) in paragraph (1)(A) by striking “con-
19 tribute” and all that follows through “; or” and
20 inserting the following: “contribute to—

21 “(i) the attainment of a national ambient
22 air quality standard; or

23 “(ii) the maintenance of a national ambi-
24 ent air quality standard in an area that was
25 designated as a nonattainment area but that

1 was later redesignated by the Administrator of
2 the Environmental Protection Agency as an at-
3 tainment area under section 107(d) of the
4 Clean Air Act (42 U.S.C. 7407(d)); or”.

5 (2) APPORTIONMENT.—Section 104(b)(2) of
6 title 23, United States Code, is amended—

7 (A) in the second sentence, by striking “is
8 a nonattainment area (as defined in the Clean
9 Air Act) for ozone” and inserting “was a non-
10 attainment area (as defined in section 171(2) of
11 the Clean Air Act (42 U.S.C. 7501(2))) for
12 ozone during any part of fiscal year 1994”; and

13 (B) in the third sentence—

14 (i) by striking “is also” and inserting
15 “was also”; and

16 (ii) by inserting “during any part of
17 fiscal year 1994” after “monoxide”.

18 (b) EFFECT OF LIMITATION ON APPORTIONMENT.—
19 Notwithstanding any other provision of law, for each of
20 fiscal years 1996 and 1997, any limitation under an
21 amendment made by this section on an apportionment of
22 funds otherwise authorized under section 1003(a)(4) of
23 the Intermodal Surface Transportation Efficiency Act of
24 1991 (105 Stat. 1919) shall not affect any hold harmless

1 apportionment adjustment under section 1015(a) of such
2 Act (105 Stat. 1943).

3 **SEC. 319. QUALITY IMPROVEMENT.**

4 (a) LIFE-CYCLE COST ANALYSIS.—Section 106 of
5 title 23, United States Code, is amended by adding at the
6 end the following:

7 “(e) LIFE-CYCLE COST ANALYSIS.—

8 “(1) ESTABLISHMENT.—The Secretary shall es-
9 tablish a program to require States to conduct an
10 analysis of the life-cycle costs of all projects on the
11 National Highway System with an estimated total
12 cost of \$25,000,000 or more.

13 “(2) ANALYSIS OF LIFE-CYCLE COSTS DE-
14 FINED.—In this subsection, the term ‘analysis of
15 life-cycle costs’ means a process for evaluating the
16 total economic worth of one or more projects by ana-
17 lyzing both initial costs as well as discounted future
18 costs, such as maintenance, reconstruction, rehabili-
19 tation, restoring, and resurfacing costs, over the life
20 of the project or projects.”.

21 (b) VALUE ENGINEERING.—Such section is further
22 amended by adding at the end the following:

23 “(f) VALUE ENGINEERING FOR NHS.—

24 “(1) REQUIREMENT.—The Secretary shall es-
25 tablish a program to require States to carry out a

1 value engineering analysis for all projects on the Na-
2 tional Highway System with an estimated total cost
3 of \$25,000,000 or more.

4 “(2) VALUE ENGINEERING DEFINED.—For pur-
5 poses of this subsection, the term ‘value engineering
6 analysis’ means a systematic process of review and
7 analysis of a project or activity during its design
8 phase by a multidisciplined team of persons not
9 originally involved in the project or activity in order
10 to provide suggestions for reducing the total cost of
11 the project or activity and providing a project or ac-
12 tivity of equal or better quality. Such suggestions
13 may include a combination or elimination of ineffi-
14 cient or expensive parts of the original proposed de-
15 sign for the project or activity and total redesign of
16 the proposed project or activity using different tech-
17 nologies, materials, or methods so as to accomplish
18 the original purpose of the project or activity.”.

19 **SEC. 320. APPLICABILITY OF TRANSPORTATION CONFORM-**
20 **ITY REQUIREMENTS.**

21 (a) HIGHWAY CONSTRUCTION.—Section 109(j) of
22 title 23, United States Code, is amended by striking “plan
23 for the implementation of any ambient air quality stand-
24 ard for any air quality control region designated pursuant

1 to the Clean Air Act, as amended.” and inserting the fol-
2 lowing: “plan for—

3 “(1) the implementation of a national ambient
4 air quality standard for which an area is designated
5 as a nonattainment area under section 107(d) of the
6 Clean Air Act (42 U.S.C. 7407(d)); or

7 “(2) the maintenance of a national ambient air
8 quality standard in an area that was designated as
9 a nonattainment area but that was later redesign-
10 nated by the Administrator as an attainment area
11 for the standard and that is required to develop a
12 maintenance plan under section 175A of the Clean
13 Air Act (42 U.S.C. 7505a).”.

14 (b) CLEAN AIR ACT REQUIREMENTS.—Section
15 176(c) of the Clean Air Act (42 U.S.C. 7506(c)) is amend-
16 ed by adding at the end the following:

17 “(5) APPLICABILITY.—This subsection shall
18 apply only with respect to—

19 “(A) a nonattainment area and each spe-
20 cific pollutant for which the area is designated
21 as a nonattainment area; and

22 “(B) an area that was designated as a
23 nonattainment area but that was later redesign-
24 nated by the Administrator as an attainment
25 area and that is required to develop a mainte-

1 nance plan under section 175A with respect to
2 the specific pollutant for which the area was
3 designated nonattainment.”.

4 **SEC. 321. QUALITY THROUGH COMPETITION.**

5 (a) CONTRACTING FOR ENGINEERING AND DESIGN
6 SERVICES.—Section 112(b)(2) of title 23, United States
7 Code, is amended by adding at the end the following new
8 subparagraphs:

9 “(C) PERFORMANCE AND AUDITS.—Any
10 contract or subcontract awarded in accordance
11 with subparagraph (A), whether funded in
12 whole or in part with Federal-aid highway
13 funds, shall be performed and audited in com-
14 pliance with cost principles contained in the
15 Federal acquisition regulations of part 31 of
16 title 48 of the Code of Federal Regulations.

17 “(D) INDIRECT COST RATES.—Instead of
18 performing its own audits, a recipient of funds
19 under a contract or subcontract awarded in ac-
20 cordance with subparagraph (A) shall accept in-
21 direct cost rates established in accordance with
22 the Federal acquisition regulations for 1-year
23 applicable accounting periods by a cognizant
24 Federal or State government agency, if such
25 rates are not currently under dispute. Once a

1 firm's indirect cost rates are accepted, the re-
2 cipient of such funds shall apply such rates for
3 the purposes of contract estimation, negotia-
4 tion, administration, reporting, and contract
5 payment and shall not be limited by administra-
6 tive or de facto ceilings of any kind. A recipient
7 of such funds requesting or using the cost and
8 rate data described in this subparagraph shall
9 notify any affected firm before such request or
10 use. Such data shall be confidential and shall
11 not be accessible or provided, in whole or in
12 part, to another firm or to any government
13 agency which is not part of the group of agen-
14 cies sharing cost data under this subparagraph,
15 except by written permission of the audited
16 firm. If prohibited by law, such cost and rate
17 data shall not be disclosed under any cir-
18 cumstances.

19 “(E) STATE OPTION.—Subparagraphs (C)
20 and (D) shall take effect 2 years after the date
21 of the enactment of this subparagraph with re-
22 spect to all States; except that if a State, dur-
23 ing such 2-year period, adopts by statute an al-
24 ternative process intended to promote engineer-
25 ing and design quality and ensure maximum

1 competition by professional companies of all
2 sizes providing engineering and design services,
3 such subparagraphs shall not apply with respect
4 to such State.”.

5 (b) REPEAL OF PILOT PROGRAM.—Section 1092 of
6 the Intermodal Surface Transportation Efficiency Act of
7 1991 (23 U.S.C. 112 note; 105 Stat. 2024) is repealed.

8 **SEC. 322. APPLICABILITY OF CERTAIN VEHICLE WEIGHT**
9 **LIMITATIONS IN WISCONSIN.**

10 Section 127 of title 23, United States Code, is
11 amended by adding at the end the following:

12 “(f) OPERATION OF CERTAIN SPECIALIZED HAULING
13 VEHICLES ON CERTAIN WISCONSIN HIGHWAYS.—If the
14 104-mile portion of Wisconsin State Route 78 and United
15 States Route 51 between Interstate Route 94 near Por-
16 tage, Wisconsin, and Wisconsin State Route 29 south of
17 Wausau, Wisconsin, is designated as part of the Interstate
18 System under section 139(a), the single axle weight, tan-
19 dem axle weight, gross vehicle weight, and bridge formula
20 limits set forth in subsection (a) shall not apply to the
21 104-mile portion with respect to the operation of any vehi-
22 cle that could legally operate on the 104-mile portion be-
23 fore the date of enactment of this subsection.”.

1 **SEC. 323. TREATMENT OF CENTENNIAL BRIDGE, ROCK IS-**
2 **LAND, ILLINOIS, AGREEMENT.**

3 For purposes of section 129(a)(6) of title 23, United
4 States Code, the agreement concerning the Centennial
5 Bridge, Rock Island, Illinois, entered into under the Act
6 entitled “An Act authorizing the city of Rock Island, Illi-
7 nois, or its assigns, to construct, maintain, and operate
8 a toll bridge across the Mississippi River at or near Rock
9 Island, Illinois, and to a place at or near the city of Dav-
10 enport, Iowa”, approved March 18, 1938 (52 Stat. 110,
11 chapter 48), shall be treated as if the agreement had been
12 entered into under section 129 of title 23, United States
13 Code, as in effect on December 17, 1991, and may be
14 modified in accordance with section 129(a)(6) of the title.

15 **SEC. 324. METRIC REQUIREMENTS AND SIGNS.**

16 (a) PLACEMENT OF SIGNS.—Before September 30,
17 1997, the Secretary may not require the States to expend
18 any Federal or State funds to construct, erect, or other-
19 wise place any sign relating to any speed limit, distance,
20 or other measurement on any highway for the purpose of
21 having such sign establish such speed limit, distance, or
22 other measurement using the metric system.

23 (b) MODIFICATION OF SIGNS.—Before September 30,
24 1997, the Secretary may not require the States to expend
25 any Federal or State funds to modify any sign relating
26 to any speed limit, any distance, or other measurement

1 on any highway for the purpose of having such sign estab-
2 lish such speed limit, distance, or measurement using the
3 metric system.

4 (c) DEFINITIONS.—In this section, the following defi-
5 nitions apply:

6 (1) HIGHWAY.—The term “highway” has the
7 meaning such term has under section 101 of title
8 23, United States Code.

9 (2) METRIC SYSTEM.—The term “metric sys-
10 tem” has the meaning the term “metric system of
11 measurement” has under section 4 of the Metric
12 Conversion Act of 1975 (15 U.S.C. 205c).

13 **SEC. 325. ISTEA TECHNICAL CLARIFICATION.**

14 Section 131(s) of title 23, United States Code, is
15 amended by striking the period at the end of the first sen-
16 tence and inserting the following: “; except that nothing
17 in this subsection or section 1047 of the Intermodal Sur-
18 face Transportation Efficiency Act of 1991 shall restrict,
19 or otherwise be applied by the Secretary to affect, the au-
20 thority of a State under subsection (d) of this section with
21 respect to commercial or industrial areas or the authority
22 of a State under subsection (k) of this section to establish
23 standards imposing stricter limitations than those estab-
24 lished in this subsection.”.

1 **SEC. 326. METROPOLITAN PLANNING FOR HIGHWAY**
2 **PROJECTS.**

3 Section 134(f) of title 23, United States Code, is
4 amended by adding at the end the following:

5 “(16) Recreational travel and tourism.”.

6 **SEC. 327. NON-FEDERAL SHARE FOR CERTAIN TOLL**
7 **BRIDGE PROJECTS.**

8 Section 144(l) of title 23, United States Code, is
9 amended by adding at the end the following: “Any non-
10 Federal funds expended for the seismic retrofit of the
11 bridge may be credited toward the non-Federal share re-
12 quired as a condition of receipt of any Federal funds for
13 seismic retrofit of the bridge made available after the date
14 of the expenditure.”.

15 **SEC. 328. DISCOVERY AND ADMISSION AS EVIDENCE OF**
16 **CERTAIN REPORTS AND SURVEYS.**

17 Section 409 of title 23, United States Code, is
18 amended by inserting “or collected” after “compiled”.

19 **SEC. 329. NATIONAL RECREATIONAL TRAILS.**

20 (a) STATE ELIGIBILITY.—Section 1302(c) of the
21 Intermodal Surface Transportation Efficiency Act of 1991
22 (33 U.S.C. 1261(c)) is amended—

23 (1) by striking “Act” each place it appears and
24 inserting “part”;

1 (2) in paragraph (2) by striking subparagraph
2 (B) and redesignating subparagraphs (C) and (D)
3 as subparagraphs (B) and (C), respectively; and

4 (3) by adding at the end the following:

5 “(3) SIXTH YEAR PROVISION.—On and after
6 the date that is 5 years after the date of the enact-
7 ment of this part, a State shall be eligible to receive
8 moneys under this part in a fiscal year only if the
9 State agrees to expend from non-Federal sources for
10 carrying out projects under this part an amount
11 equal to 20 percent of the amount received by the
12 State under this part in such fiscal year.”.

13 (b) ADMINISTRATIVE COSTS.—Section 1302(d)(1) of
14 such Act (33 U.S.C. 1261(d)(1)) is amended—

15 (1) by striking “and” at the end of subpara-
16 graph (C);

17 (2) by redesignating subparagraph (D) as sub-
18 paragraph (E); and

19 (3) by inserting after subparagraph (C) the
20 following:

21 “(D) contracting for services with other
22 land management agencies; and”.

23 (c) ENVIRONMENTAL MITIGATION.—

24 (1) IN GENERAL.—Section 1302(e) of such Act
25 (33 U.S.C. 1261(e)) is amended—

1 (A) by redesignating paragraphs (5), (6),
2 (7), and (8) as paragraphs (6), (7), (8), and
3 (9), respectively; and

4 (B) by inserting after paragraph (4) the
5 following:

6 “(5) ENVIRONMENTAL MITIGATION.—

7 “(A) REQUIREMENT.—To the extent prac-
8 ticable and consistent with other requirements
9 of this section, in complying with paragraph
10 (4), a State shall give priority to project propos-
11 als which provide for the redesign, reconstruc-
12 tion, nonroutine maintenance, or relocation of
13 trails in order to mitigate and minimize the im-
14 pact to the natural environment.

15 “(B) COMPLIANCE.—The State shall re-
16 ceive guidance for determining compliance with
17 subparagraph (A) from the recreational trail
18 advisory board satisfying the requirements of
19 subsection (c)(2)(A).”.

20 (2) CONFORMING AMENDMENT.—Section
21 1302(e)(4) of such Act (33 U.S.C. 1261(e)(4)) is
22 amended by striking “paragraphs (6) and (8)(B)”
23 and inserting “paragraphs (7) and (9)(B)”.

24 (d) EXCLUSIONS.—Section 1302(e)(7) of such Act,
25 as redesignated by subsection (c), is amended—

1 (1) by striking “(7) SMALL STATE EXCLU-
2 SION.—” and inserting the following:

3 “(7) EXCLUSIONS.—

4 “(A) SMALL STATE.—”;

5 (2) by moving the text of subparagraph (A), as
6 designated by paragraph (1), 2 ems to the right; and

7 (3) by adding at the end the following:

8 “(B) BEST INTEREST OF A STATE.—Any
9 State which determines based on trail needs
10 identified in its State Comprehensive Outdoor
11 Recreation Plan that it is in the best interest
12 of the State to be exempt from the require-
13 ments of paragraph (4) may apply to the Sec-
14 retary for such an exemption. Before approving
15 or disapproving an application for such an ex-
16 emption, the Secretary shall publish in the Fed-
17 eral Register notice of receipt of the application
18 and provide an opportunity for public comment
19 on the application.”.

20 (e) RETURN OF MONEYS NOT EXPENDED.—Section
21 1302(e)(9) of such Act, as redesignated by subsection (c),
22 is amended—

23 (1) by inserting “the State” before “may be ex-
24 empted”; and

1 (2) by striking “and expended or committed”
2 and all that follows before the period.

3 (f) ADVISORY COMMITTEE.—Section 1303(b) of such
4 Act (16 U.S.C. 1262(b)) is amended—

5 (1) by striking “11 members” and inserting
6 “12 members”;

7 (2) by redesignating paragraphs (2), (3), and
8 (4) as paragraphs (3), (4), and (5), respectively; and

9 (3) by inserting after paragraph (1) the follow-
10 ing:

11 “(2) 1 member appointed by the Secretary rep-
12 resenting individuals with disabilities;”.

13 **SEC. 330. IDENTIFICATION OF HIGH PRIORITY CORRIDORS.**

14 (a) IN GENERAL.—Section 1105(c) of the Intermodal
15 Surface Transportation Efficiency Act of 1991 (105 Stat.
16 2032) is amended—

17 (1) by striking paragraph (5) and inserting the
18 following:

19 “(5)(A) I-73/74 North-South Corridor from
20 Charleston, South Carolina, through Winston-Salem,
21 North Carolina, to Portsmouth, Ohio, to Cincinnati,
22 Ohio, to termini at Detroit, Michigan and Sault Ste.
23 Marie, Michigan. The Sault Ste. Marie terminus
24 shall be reached via a corridor connecting Adrian,

1 Jackson, Lansing, Mount Pleasant, and Grayling,
2 Michigan.

3 “(B)(i) In the Commonwealth of Virginia, the
4 Corridor shall generally follow—

5 “(I) United States Route 220 from the
6 Virginia-North Carolina border to I-581 south
7 of Roanoke;

8 “(II) I-581 to I-81 in the vicinity of Roa-
9 noke;

10 “(III) I-81 to the proposed highway to
11 demonstrate intelligent transportation systems
12 authorized by item 29 of the table in section
13 1107(b) in the vicinity of Christiansburg to
14 United States Route 460 in the vicinity of
15 Blacksburg; and

16 “(IV) United States Route 460 to the
17 West Virginia State line.

18 “(ii) In the States of West Virginia, Kentucky,
19 and Ohio, the Corridor shall generally follow—

20 “(I) United States Route 460 from the
21 West Virginia State line to United States Route
22 52 at Bluefield, West Virginia; and

23 “(II) United States Route 52 to United
24 States Route 23 at Portsmouth, Ohio.

1 “(iii) In the States of North Carolina and
2 South Carolina, the Corridor shall generally follow—

3 “(I) in the case of I-73—

4 “(aa) United States Route 220 from
5 the Virginia State line to State Route 68
6 in the vicinity of Greensboro;

7 “(bb) State Route 68 to I-40;

8 “(cc) I-40 to United States Route
9 220 in Greensboro;

10 “(dd) United States Route 220 to
11 United States Route 1 near Rockingham;

12 “(ee) United States Route 1 to the
13 South Carolina State line; and

14 “(ff) South Carolina State line to
15 Charleston, South Carolina; and

16 “(II) in the case of I-74—

17 “(aa) I-77 from Bluefield, West Vir-
18 ginia, to the junction of I-77 and the
19 United States Route 52 connector in Surry
20 County, North Carolina;

21 “(bb) the I-77/United States Route
22 52 connector to United States Route 52
23 south of Mount Airy, North Carolina;

1 “(cc) United States Route 52 to
2 United States Route 311 in Winston-
3 Salem, North Carolina;

4 “(dd) United States Route 311 to
5 United States Route 220 in the vicinity of
6 Randleman, North Carolina.

7 “(ee) United States Route 220 to
8 United States Route 74 near Rockingham;

9 “(ff) United States Route 74 to
10 United States Route 76 near Whiteville;

11 “(gg) United States Route 74/76 to
12 the South Carolina State line in Brunswick
13 County; and

14 “(hh) South Carolina State line to
15 Charleston, South Carolina.”;

16 (2) in paragraph (18)—

17 (A) by striking “and”;

18 (B) by inserting “Arkansas,” after “Ten-
19 nessee,”; and

20 (C) by inserting before the period at the
21 end the following: “, and to the Lower Rio
22 Grande Valley at the border between the United
23 States and Mexico”;

24 (3) by inserting before the period at the end of
25 paragraph (20) the following: “, and to include the

1 Corpus Christi Northside Highway and Rail Cor-
2 ridor from the existing intersection of United States
3 Route 77 and Interstate Route 37 to United States
4 Route 181''; and

5 (4) by adding at the end the following:

6 “(22) The Alameda Transportation Corridor
7 along Alameda Street from the entrance to the ports
8 of Los Angeles and Long Beach to Interstate 10,
9 Los Angeles, California.

10 “(23) The Interstate Route 35 Corridor from
11 Laredo, Texas, through Oklahoma City, Oklahoma,
12 to Wichita, Kansas, to Kansas City, Kansas/Mis-
13 souri, to Des Moines, Iowa, to Minneapolis, Min-
14 nesota, to Duluth, Minnesota.

15 “(24) The Dalton Highway from Deadhorse,
16 Alaska to Fairbanks, Alaska.

17 “(25) State Route 168 (South Battlefield Bou-
18 levard), Virginia, from the Great Bridge Bypass to
19 the North Carolina State line.

20 “(26) The CANNAMEX CORRIDOR from
21 Nogales, Arizona, through Las Vegas, Nevada, to
22 Salt Lake City, Utah, to Idaho Falls, Idaho, to
23 Great Falls, Montana, to the Canadian Border as
24 follows:

1 “(A) In the State of Arizona, the
2 CANAMEX CORRIDOR shall generally fol-
3 low—

4 “(i) I-19 from Nogales to Tucson;

5 “(ii) I-10 from Tucson to Phoenix;

6 and

7 “(iii) United States Route 93 from
8 Phoenix to the Nevada Border.

9 “(B) In the State of Nevada, the
10 CANAMEX CORRIDOR shall follow—

11 “(i) United States Route 93 from the
12 Arizona Border to Las Vegas; and

13 “(ii) I-15 from Las Vegas to the
14 Utah Border.

15 “(C) From the Utah Border to the Cana-
16 dian Border, the CANAMEX CORRIDOR shall
17 follow I-15.”.

18 (b) INCLUSION OF CERTAIN ROUTE SEGMENTS ON
19 INTERSTATE SYSTEM.—Section 1105(e) of such Act (105
20 Stat. 2033) is amended by adding at the end the following:

21 “(5) INCLUSION OF CERTAIN ROUTE SEGMENTS
22 ON INTERSTATE SYSTEM.—Where not a part of the
23 Interstate System, the routes referred to in clauses
24 (i), (ii), and (iii) of subsection (c)(5)(B) (other than
25 the portion located in the State of West Virginia),

1 in subsection (c)(9), and in subsections (c)(18) and
2 (c)(20) are hereby designated future parts of the
3 Interstate System. Any segment of such routes shall
4 become a part of the Interstate System at such time
5 as the Secretary determines that the segment—

6 “(A) meets the Interstate System design
7 standards approved by the Secretary under sec-
8 tion 109(b) of title 23, United States Code; and

9 “(B) connects to an existing Interstate
10 System segment and functions as a safe and us-
11 able segment.”.

12 **SEC. 331. HIGH PRIORITY CORRIDOR FEASIBILITY STUDIES.**

13 (a) EVACUATION ROUTES FOR LOUISIANA COASTAL
14 AREAS.—Section 1105(e)(2) of the Intermodal Surface
15 Transportation Efficiency Act of 1991 (105 Stat. 2033)
16 is amended by adding at the end the following new sen-
17 tence: “A feasibility study may be conducted under this
18 subsection to identify routes that will expedite future
19 emergency evacuations of coastal areas of Louisiana.”.

20 (b) EAST-WEST TRANSAMERICA CORRIDOR.—With
21 amounts available to the Secretary under section 1105(h)
22 of the Intermodal Surface Transportation Efficiency Act
23 of 1991, the Secretary in cooperation with the States of
24 Virginia and West Virginia shall conduct a study to deter-
25 mine the feasibility of establishing a route for the East-

1 West Transamerica Corridor (designated pursuant to sec-
2 tion 1105(c)(3) of such Act) from Beckley, West Virginia,
3 utilizing a corridor entering Virginia near the city of Cov-
4 ington then moving south from the Allegheny Highlands
5 to serve Roanoke and continuing east to Lynchburg. From
6 there such route would continue across Virginia to the
7 Hampton Roads-Norfolk area.

8 **SEC. 332. HIGH COST BRIDGE PROJECTS.**

9 The table contained in section 1103(b) of the Inter-
10 modal Surface Transportation Efficiency Act of 1991
11 (105 Stat. 2027–2028) is amended—

12 (1) in item number 5, relating to Gloucester
13 Point, Virginia, by inserting after “York River” the
14 following: “and for repair, strengthening, and reha-
15 bilitation of the existing bridge”; and

16 (2) in item number 10, relating to Shakopee,
17 Minnesota, by inserting “project, including the by-
18 pass of” after “replacement”.

19 **SEC. 333. CONGESTION RELIEF PROJECTS.**

20 The table contained in section 1104(b) of the Inter-
21 modal Surface Transportation Efficiency Act of 1991
22 (105 Stat. 2029–2031) is amended—

23 (1) in item number 1, relating to Long Beach,
24 California, by striking “HOV Lanes on” and insert-

1 ing “downtown Long Beach access ramps into the
2 southern terminus of”;

3 (2) in item number 10, relating to San Diego,
4 California, by striking “1 block of Cut and Cover
5 Tunnel on Rt. 15” and inserting “bridge decking on
6 Route 15”;

7 (3) in item number 23, relating to Tucson, Ari-
8 zona, by inserting “, of which a total of \$3,609,620
9 shall be available for the project authorized by item
10 number 74 of the table contained in section
11 1106(b)” after “in Tuscon, Arizona”; and

12 (4) in item number 43, relating to West Vir-
13 ginia, by striking “Coal Fields” and inserting “Coal-
14 fields”.

15 **SEC. 334. HIGH PRIORITY CORRIDORS ON NATIONAL HIGH-**
16 **WAY SYSTEM.**

17 Section 1105(c)(3) of the Intermodal Surface Trans-
18 portation Efficiency Act of 1991 (105 Stat. 2032) is
19 amended by inserting before the period at the end the fol-
20 lowing: “commencing on the Atlantic Coast in the Hamp-
21 ton Roads-Norfolk area going westward across Virginia to
22 a West Virginia corridor centered around Beckley to
23 Welch as part of the Coalfields Expressway described in
24 section 1069(v), then to Williamson sharing a common
25 corridor with the I-73/74 Corridor (referred to in item 12

1 of the table contained in subsection (f)), then to a Ken-
2 tucky Corridor centered on the cities of Pikeville, Jenkins,
3 Hazard, London, Somerset, Columbia, Bowling Green,
4 Hopkinsville, Benton, and Paducah, into Illinois, and into
5 Missouri and exiting Western Missouri and entering the
6 southeast corner of Kansas”.

7 **SEC. 335. HIGH PRIORITY CORRIDOR PROJECTS.**

8 The table contained in section 1105(f) of the Inter-
9 modal Surface Transportation Efficiency Act of 1991
10 (105 Stat. 2033–2035) is amended—

11 (1) in item 1, relating to Pennsylvania, by in-
12 serting after “For” the following: “the segment de-
13 scribed in item 6 of this table and up to
14 \$11,000,000 for”;

15 (2) in item 2, relating to Alabama, Georgia,
16 Mississippi, Tennessee, by inserting after “Rt. 72”
17 the following: “and up to \$1,500,000 from the State
18 of Alabama’s share of the project for modification of
19 the Keller Memorial Bridge in Decatur, Alabama, to
20 a pedestrian structure”; and

21 (3) in item number 26, relating to Indiana,
22 Kentucky, Tennessee, by striking “Newberry” and
23 inserting “Evansville”.

1 **SEC. 336. RURAL ACCESS PROJECTS.**

2 The table contained in section 1106(a)(2) of the
3 Intermodal Surface Transportation Efficiency Act of 1991
4 (105 Stat. 2037–2042) is amended—

5 (1) in item number 34, relating to Illinois, by
6 striking “Resurfacing” and all that follows through
7 “Omaha” and inserting “Bel-Air Road improvement
8 from south of Carmi to State Route 141 in south-
9 eastern White County”;

10 (2) in item number 52, relating to Bedford
11 Springs, Pennsylvania, by striking “and Hunting-
12 ton” and inserting “Franklin, and Huntingdon”;

13 (3) in item number 61, relating to Lubbock,
14 Texas, by striking “with Interstate 20” and insert-
15 ing “with Interstate 10 through Interstate 20 and
16 Interstate 27 north of Amarillo to the Texas/Okla-
17 homa border”;

18 (4) in item number 71, relating to Chautauqua
19 County, New York, by inserting “and other improve-
20 ments” after “expressway lanes”;

21 (5) in item number 75, relating to Pennsylva-
22 nia, by striking “Widen” and all that follows
23 through “lanes” and inserting “Road improvements
24 on a 14-mile segment of U.S. Route 15 in Lycoming
25 County, Pennsylvania”;

1 (6) in item number 93, relating to New Mexico,
2 by striking “Raton-Clayton Rd., Clayton, New Mex-
3 ico” and inserting “U.S. Rt. 64/87 from Raton, New
4 Mexico, through Clayton to the Texas-New Mexico
5 State line”; and

6 (7) in item number 111, relating to Parker
7 County, Texas (SH199)—

8 (A) by striking “Parker County” and in-
9 serting “Parker and Tarrant Counties”; and

10 (B) by striking “to four-” and inserting
11 “in Tarrant County, to freeway standards and
12 in Parker County to a 4-”.

13 **SEC. 337. URBAN ACCESS AND MOBILITY PROJECTS.**

14 The table contained in section 1106(b)(2) of the
15 Intermodal Surface Transportation Efficiency Act of 1991
16 (105 Stat. 2043–2047) is amended—

17 (1) in item number (9), relating to New York,
18 New York, by striking “Improvements” and all that
19 follows through “NY” and inserting “Projects in
20 New York City, New York (other than improvements
21 to the Miller Highway)”;

22 (2) in item number 13, relating to Joliet, Illi-
23 nois, by striking “and construction and interchange
24 at Houbolt Road and I–80”;

1 (3) in item number 36, relating to Compton,
2 California, by striking “For a grade” and all that
3 follows through “Corridor” and inserting “For grade
4 separations and other improvements in the city of
5 Compton, California”; and

6 (4) in item number 52, relating to Chicago, Illi-
7 nois, by striking “Right-of-way” and all that follows
8 through “Connector)” and inserting “Reconstruct
9 the Michigan Avenue viaduct”.

10 **SEC. 338. INNOVATIVE PROJECTS.**

11 The table contained in section 1107(b) of the Inter-
12 modal Surface Transportation Efficiency Act of 1991
13 (105 Stat. 2048–2059) is amended—

14 (1) in item 19, relating to Water Street, Penn-
15 sylvania—

16 (A) by striking “Water Street,”; and

17 (B) by inserting “, or other projects in the
18 counties of Bedford, Blair, Centre, Franklin,
19 and Huntingdon as selected by the State of
20 Pennsylvania” after “Pennsylvania” the second
21 place it appears;

22 (2) in item 20, relating to Holidaysburg, Penn-
23 sylvania—

24 (A) by striking “Holidaysburg,” the first
25 place it appears; and

1 (B) by inserting “, or other projects in the
2 counties of Bedford, Blair, Centre, Franklin,
3 and Huntingdon as selected by the State of
4 Pennsylvania” after “Pennsylvania” the second
5 place it appears;

6 (3) in item number 24, relating to Pennsylva-
7 nia, by inserting after “line” the following: “and for
8 the purchase, rehabilitation, and improvement of any
9 similar existing facility within a 150-mile radius of
10 such project, as selected by the State of Pennsylva-
11 nia”;

12 (4) in item number 29, relating to Blacksburg,
13 Virginia, by inserting “methods of facilitating public
14 and private participation in” after “demonstrate”;

15 (5) in item number 35, relating to Alabama, by
16 striking “to bypass” and all that follows through “I-
17 85” and inserting “beginning on U.S. Route 80 west
18 of Montgomery, Alabama, and connecting to I-65
19 south of Montgomery and I-85 east of Montgom-
20 ery”;

21 (6) in item 49, relating to Suffolk County, New
22 York, by inserting after “perimeters” the following:
23 “and provide funds to the towns of Brookhaven,
24 Riverhead, Smithtown, East Hampton, Southold,
25 Shelter Island, and Southampton for the purchase of

1 vehicles to meet the transportation needs of the el-
2 derly and persons with disabilities”;

3 (7) in item number 52, relating to Pennsylv-
4 nia, by striking “2” and all that follows through
5 “Pennsylvania” and inserting “or rehabilitate (or
6 both) highway and transportation infrastructure
7 projects within 30 miles of I-81 or I-80 in north-
8 eastern Pennsylvania”;

9 (8) in item number 61, relating to Mojave, Cali-
10 fornia, by striking “Mojave” and inserting
11 “Victorville” and by inserting “Mojave” after “re-
12 construct”;

13 (9) in item number 68, relating to Portland/S.
14 Portland, Maine—

15 (A) by striking “Portland/S. Portland,”;
16 and

17 (B) by inserting after “Bridge” the follow-
18 ing: “and improvements to the Carlton Bridge
19 in Bath-Woolworth”;

20 (10) in item number 76, relating to Tennessee,
21 by inserting “Improved access to” before “I-81”
22 and striking “Interchange” and inserting after
23 “Tennessee” the following: “via improvements at I-
24 181/Eastern Star Road and I-81/Kendrick Creek
25 Road”;

1 (11) in item number 100, relating to Arkansas,
2 by striking “Thornton” and inserting “Little Rock”;

3 (12) in item number 113, relating to Durham
4 County, North Carolina, by inserting after “Route
5 147” the following: “, including the interchange at
6 I-85”;

7 (13) in item number 114, relating to Corpus
8 Christi to Angleton, Texas, by striking “Construct
9 new multi-lane freeway” and inserting “Construct a
10 4-lane divided highway”;

11 (14) in item number 193, relating to Corning,
12 New York, by inserting “and other improvements”
13 after “expressway lanes”; and

14 (15) in item 196, relating to Orlando, Flor-
15 ida—

16 (A) by striking “Orlando,”; and

17 (B) by striking “Land” and all that fol-
18 lows through “project” and inserting “One or
19 more regionally significant, intercity ground
20 transportation projects”.

21 **SEC. 339. INTERMODAL PROJECTS.**

22 The table contained in section 1108(b) of the Inter-
23 modal Surface Transportation Efficiency Act of 1991
24 (105 Stat. 2060–2063) is amended—

1 (1) in item number 12, relating to Buffalo, New
2 York, by inserting after “Project” the following:
3 “and the Crossroads Arena Project”; and

4 (2) in item number 31, relating to Los Angeles,
5 California, by striking “To improve ground access
6 from Sepulveda Blvd. to Los Angeles, California”
7 and inserting the following: “For the Los Angeles
8 International Airport central terminal ramp access
9 project, \$3,500,000; for the widening of Aviation
10 Boulevard south of Imperial Highway, \$3,500,000;
11 for the widening of Aviation Boulevard north of Im-
12 perial Highway, \$1,000,000; and for transportation
13 systems management improvements in the vicinity of
14 the Sepulveda Boulevard/Los Angeles International
15 Airport tunnel, \$950,000”.

16 **SEC. 340. MISCELLANEOUS REVISIONS TO SURFACE TRANS-**
17 **PORTATION AND UNIFORM RELOCATION AS-**
18 **SISTANCE ACT OF 1987.**

19 (a) CALIFORNIA.—Section 149(a)(69) of the Surface
20 Transportation and Uniform Relocation Assistance Act of
21 1987 (101 Stat. 191), relating to Burbank-Glendale-Pasa-
22 dena Airport, California, is amended—

23 (1) in the first sentence by striking “highway”;

1 (2) in the first sentence by striking “and con-
2 struction of terminal and parking facilities at such
3 airport”; and

4 (3) by striking “by making” in the second sen-
5 tence and all that follows through the period at the
6 end of such sentence and inserting the following: “by
7 preparing a feasibility study and conducting prelimi-
8 nary engineering, design, and construction of a link
9 between such airport and the commuter rail system
10 that is being developed by the Los Angeles County
11 Metropolitan Transportation Authority.”.

12 (b) LOUISIANA.—

13 (1) RURAL ACCESS PROJECT.—

14 (A) RESCISSION.—Effective October 1,
15 1995, the unobligated balances on September
16 30, 1995, of funds made available for section
17 149(a)(87) of the Surface Transportation and
18 Uniform Relocation Assistance Act of 1987
19 (101 Stat. 194; relating to West Calcasieu Par-
20 ish, Louisiana) are hereby rescinded.

21 (B) FUNDING.—Item number 17 of the
22 table contained in section 1106(a)(2) of the
23 Intermodal Surface Transportation Efficiency
24 Act of 1991 (105 Stat. 2038), relating to Lake

1 Charles, Louisiana, is amended by striking
2 “4.1” and inserting “8.8”.

3 (2) I-10 EXIT RAMP AND OTHER PROJECTS.—
4 Section 149(a)(89) of the Surface Transportation
5 and Uniform Relocation Assistance Act of 1987
6 (101 Stat. 191) is amended—

7 (A) by inserting “AND LAKE CHARLES”
8 after “LAFAYETTE” in the paragraph heading;
9 and

10 (B) by inserting before the period at the
11 end “and, of amounts made available to carry
12 out this paragraph, may use up to \$456,022 to
13 carry out a comprehensive transportation and
14 land use plan for Lafayette, Louisiana,
15 \$1,000,000 to carry out a project to construct
16 an exit ramp from the eastbound side of Inter-
17 state Route I-10 to Ryan Street in Lake
18 Charles, Louisiana, and \$269,661 under this
19 paragraph for projects described in section
20 149(a)(90)”.

21 (3) CONTRABAND BRIDGE.—Section 149(a)(90)
22 of such Act (101 Stat. 191) is amended—

23 (A) by inserting “AND LAKE CHARLES”
24 after “LAFAYETTE” in the paragraph heading;
25 and

1 (B) by inserting “and a project to con-
2 struct the Contraband Bridge portion of the
3 Nelson Access Road Project” before the period
4 at the end.

5 (c) PENNSYLVANIA.—Section 149(a)(74) of the Sur-
6 face Transportation and Uniform Relocation Assistance
7 Act of 1987 (101 Stat. 192) is amended by inserting be-
8 fore the period at the end the following: “and other
9 projects in the counties of Bedford, Blair, Centre, Frank-
10 lin, and Huntingdon, Pennsylvania”.

11 (d) MARYLAND.—Section 149(a)(92) of such Act
12 (101 Stat. 194) is amended—

13 (1) by striking “UNITED STATES ROUTE 48”
14 and inserting “WASHINGTON AND FREDERICK
15 COUNTIES”; and

16 (2) by inserting “and to construct an inter-
17 change between Interstate Route I-70 and Inter-
18 state Route I-270 in Frederick County, Maryland”
19 after “Mountain Road”.

20 (e) BUS TESTING FACILITY.—Section 5318 of title
21 49, United States Code, is amended—

22 (1) in subsection (b) by inserting “or coopera-
23 tive agreement” after “contract” each place it ap-
24 pears; and

25 (2) by adding at the end the following:

1 “(f) CONVERSION OF CONTRACTS.—The Secretary
2 may convert existing contracts entered into under this sec-
3 tion into cooperative agreements.”.

4 **SEC. 341. ELIGIBILITY.**

5 (a) EXISTING PROJECT.—Section 108(b) of the Fed-
6 eral-Aid Highway Act of 1956 (23 U.S.C. 101 note) is
7 amended—

8 (1) by striking “(1)” before “such costs may be
9 further”; and

10 (2) by striking “, and (2) the amount of such
11 costs shall not include the portion of the project be-
12 tween High Street and Causeway Street”.

13 (b) OTHER EXISTING PROJECTS.—

14 (1) RECONSTRUCTION AND WIDENING.—The
15 project authorized by section 162 of the Surface
16 Transportation Assistance Act of 1982 (96 Stat.
17 2136) shall include reconstruction and widening to 6
18 lanes of existing Interstate Route 95 and of the
19 Pennsylvania Turnpike from United States Route 1
20 to the junction with the New Jersey Turnpike.

21 (2) FEDERAL SHARE.—Notwithstanding any
22 other provision of law, the Federal share payable on
23 account of the project referred to in paragraph (1),
24 including the additional through roadway and bridge

1 travel lanes, shall be 90 percent of the cost of the
2 project.

3 (3) TOLLS.—Notwithstanding section 301 of
4 title 23, United States Code, the project for con-
5 struction of an interchange between the Pennsylva-
6 nia Turnpike and Interstate Route 95, including the
7 widening of the Pennsylvania Turnpike, shall be
8 treated as a reconstruction project described in sec-
9 tion 129(a)(1)(B) of such title and tolls may be con-
10 tinued on all traffic on the Pennsylvania Turnpike
11 between United States Route 1 and the New Jersey
12 Turnpike.

13 (c) TYPE II NOISE BARRIERS.—No funds made
14 available out of the Highway Trust Fund may be used
15 to construct Type II noise barriers (as defined by section
16 772.5(i) of title 23, Code of Federal Regulations) pursu-
17 ant to sections 109 (h) and (i) of title 23, United States
18 Code if such barriers were not part of a project approved
19 by the Secretary before the date of the enactment of this
20 Act.

21 **SEC. 342. ORANGE COUNTY, CALIFORNIA, TOLL ROADS.**

22 The Secretary shall enter into an agreement modify-
23 ing the agreement entered into pursuant to section 339
24 of the Department of Transportation and Related Agen-
25 cies Appropriations Act, 1993 (Public Law 102–338) to

1 conform such agreement to the provisions of section 336
2 of the Department of Transportation and Related Agen-
3 cies Appropriations Act, 1995 (Public Law 103-331).
4 Nothing in this section shall be construed to change the
5 amount of the previous appropriation in such section 339,
6 and the line of credit provided for shall not exceed an
7 amount supported by the previous appropriation. In imple-
8 menting such sections 336 and 339, the Secretary may
9 enter into an agreement requiring an interest rate that
10 is higher than the rate specified in such sections.

11 **SEC. 343. MISCELLANEOUS STUDIES.**

12 (a) PAN AMERICAN HIGHWAY.—

13 (1) STUDY.—The Secretary shall conduct a
14 study on the adequacy of and the need for improve-
15 ments to the Pan American Highway.

16 (2) ELEMENTS.—The study to be conducted
17 under paragraph (1) shall include, at a minimum,
18 the following elements:

19 (A) Findings on the benefits of construct-
20 ing a highway at Darien Gap, Panama and Co-
21 lombia.

22 (B) Recommendations for a self-financing
23 arrangement for completion and maintenance of
24 the Pan American Highway.

1 (C) Recommendations for establishing a
2 Pan American highway authority to monitor fi-
3 nancing, construction, maintenance, and oper-
4 ations of the Pan American Highway.

5 (D) Findings on the benefits to trade and
6 prosperity of a more efficient Pan American
7 Highway.

8 (E) Findings on the benefits to United
9 States industry through the use of United
10 States technology and equipment in construc-
11 tion of improvements to the Pan American
12 Highway.

13 (F) Findings on environmental consider-
14 ations, including environmental considerations
15 relating to the Darien Gap.

16 (3) REPORT.—Not later than 2 years after the
17 date of the enactment of this Act, the Secretary
18 shall transmit to Congress a report on the results of
19 the study conducted under this subsection.

20 (b) HIGHWAY SIGNS FOR NATIONAL HIGHWAY SYS-
21 TEM.—The Secretary shall conduct a study to determine
22 the cost, need, and efficacy of establishing a highway sign
23 for identifying routes on the National Highway System.
24 In conducting such study, the Secretary shall make a de-

1 termination concerning whether to identify National High-
2 way System route numbers.

3 (c) COMPLIANCE WITH BUY AMERICAN ACT.—

4 (1) STUDY.—The Secretary shall conduct a
5 study on compliance with the provisions of the Buy
6 American Act (41 U.S.C. 10a–10c) with respect to
7 contracts entered into using amounts made available
8 from the Highway Trust Fund.

9 (2) REPORT.—Not later than 1 year after the
10 date of the enactment of this Act, the Secretary
11 shall transmit to Congress a report on the results of
12 the study conducted under paragraph (1).

13 **SEC. 344. COLLECTION OF BRIDGE TOLLS.**

14 Notwithstanding any other provisions of law, tolls col-
15 lected for motor vehicles on any bridge connecting the bor-
16 oughs of Brooklyn, New York, and Staten Island, New
17 York, shall continue to be collected for only those vehicles
18 exiting from such bridge in Staten Island.

19 **SEC. 345. NATIONAL DRIVER REGISTER.**

20 Section 30308(a) of title 49, United States Code, is
21 amended by striking “and \$2,550,000 for fiscal year
22 1995” and inserting “and \$2,550,000 for each of fiscal
23 years 1995 and 1996”.

1 **SEC. 346. ROADSIDE BARRIER TECHNOLOGY.**

2 Section 1058 of the Intermodal Surface Transpor-
3 tation Efficiency Act of 1991 (23 U.S.C. 109 note; 105
4 Stat. 2003) is amended—

5 (1) in subsection (a) by striking “median” and
6 inserting “or temporary crashworthy”;

7 (2) in subsection (a) by inserting “crash-
8 worthy” after “innovative”;

9 (3) in the heading of subsection (c) by inserting
10 “CRASHWORTHY” after “INNOVATIVE”;

11 (4) in subsection (c) by inserting “crashworthy”
12 after “innovative”;

13 (5) in subsection (c) by striking “median”;

14 (6) by inserting “or guiderail” after “guard-
15 rail”; and

16 (7) by inserting before the period at the end of
17 subsection (c) “, and meets or surpasses the require-
18 ments of the National Cooperative Highway Re-
19 search Program 350 for longitudinal barriers”.

20 **SEC. 347. MOTORIST CALL BOXES.**

21 (a) EFFECTIVE CONTROL.—Section 131(c) of title
22 23, United States Code, is amended—

23 (1) by striking “and (5)” and inserting the fol-
24 lowing: “(5) signs, displays, and devices identifying
25 and announcing free motorist aid call boxes and ad-

1 advertising their sponsorship by corporations or other
2 organizations, and (6)”; and

3 (2) by adding at the end the following new sen-
4 tence: “The Secretary shall ensure that spacing of
5 signs, displays, and devices announcing motorist aid
6 call boxes is reasonable.”.

7 (b) SPECIFIC SERVICE SIGNS.—Section 131(f) of
8 title 23, United States Code, is amended by adding at the
9 end the following: “For purposes of this subsection, the
10 term ‘specific information in the interest of the traveling
11 public’ includes identification, announcement, and spon-
12 sorship of motorist aid call boxes.”.

13 **SEC. 348. REPEAL OF NATIONAL MAXIMUM SPEED LIMIT**
14 **COMPLIANCE PROGRAM.**

15 Sections 141(a) and 154 of title 23, United States
16 Code, and the item relating to section 154 in the analysis
17 to chapter 1 of such title are repealed.

18 **SEC. 349. ELIMINATION OF PENALTY FOR NONCOMPLIANCE**
19 **FOR MOTORCYCLE HELMETS.**

20 Subsection (h) of section 153 of title 23, United
21 States Code, is amended by striking “a law described in
22 subsection (a)(1) and” each place it appears.

1 **SEC. 350. SAFETY REST AREAS.**

2 Section 120(c) of title 23, United States Code, is
3 amended by inserting “safety rest areas,” after “signaliza-
4 tion,”.

5 **SEC. 351. EXEMPTIONS FROM REQUIREMENTS RELATING**
6 **TO COMMERCIAL MOTOR VEHICLES AND**
7 **THEIR OPERATORS.**

8 (a) EXEMPTIONS.—

9 (1) TRANSPORTATION OF AGRICULTURAL COM-
10 MODITIES AND FARM SUPPLIES.—Regulations pre-
11 scribed by the Secretary under sections 31136 and
12 31502 of title 49, United States Code, regarding
13 maximum driving and on-duty time for drivers used
14 by motor carriers shall not apply to drivers trans-
15 porting agricultural commodities or farm supplies
16 for agricultural purposes in a State if such transpor-
17 tation is limited to an area within a 50 air mile ra-
18 dius from the source of the commodities or the dis-
19 tribution point for the farm supplies and is during
20 the planting and harvesting seasons within such
21 State, as determined by the State.

22 (2) TRANSPORTATION AND OPERATION OF
23 GROUND WATER WELL DRILLING RIGS.—Such regu-
24 lations shall, in the case of a driver of a commercial
25 motor vehicle who is used primarily in the transpor-
26 tation and operation of a ground water well drilling

1 rig, permit any period of 8 consecutive days to end
2 with the beginning of an off-duty period of 24 or
3 more consecutive hours for the purposes of deter-
4 mining maximum driving and on-duty time.

5 (3) TRANSPORTATION OF CONSTRUCTION MA-
6 TERIALS AND EQUIPMENT.—Such regulations shall,
7 in the case of a driver of a commercial motor vehicle
8 who is used primarily in the transportation of con-
9 struction materials and equipment, permit any pe-
10 riod of 8 consecutive days to end with the beginning
11 of an off-duty period of 24 or more consecutive
12 hours for the purposes of determining maximum
13 driving and on-duty time.

14 (4) SNOW AND ICE REMOVAL.—A State may
15 waive the requirements of chapter 313 of title 49,
16 United States Code, with respect to a vehicle that is
17 being operated within the boundaries of an eligible
18 unit of local government by an employee of such unit
19 for the purpose of removing snow or ice from a
20 roadway by plowing, sanding, or salting. Such waiver
21 authority shall only apply in a case where the em-
22 ployee is needed to operate the vehicle because the
23 employee of the eligible unit of local government who
24 ordinarily operates the vehicle and who has a com-
25 mercial drivers license is unable to operate the vehi-

1 cle or is in need of additional assistance due to a
2 snow emergency.

3 (b) EFFECTIVE DATE.—The provisions of subsection
4 (a) shall take effect 180 days after the date of the enact-
5 ment of this Act.

6 (c) REVIEW BY THE SECRETARY.—The Secretary
7 may conduct a rulemaking proceeding to determine wheth-
8 er granting any exemption provided by subsection (a) is
9 not in the public interest and would have a significant ad-
10 verse impact on the safety of commercial motor vehicles.
11 If, at any time, the Secretary determines that granting
12 such exemption would not be in the public interest and
13 would have a significant adverse impact on the safety of
14 commercial motor vehicles, then the Secretary may pre-
15 vent the exemption from going into effect, modify the ex-
16 emption, or revoke the exemption.

17 (d) DEFINITIONS.—In this section, the following defi-
18 nitions apply:

19 (1) 8 CONSECUTIVE DAYS.—The term “8 con-
20 secutive days” means the period of 8 consecutive
21 days beginning on any day at the time designated by
22 the motor carrier for a 24-hour period.

23 (2) 24-HOUR PERIOD.—The term “24-hour pe-
24 riod” means any 24-consecutive hour period begin-
25 ning at the time designated by the motor carrier for

1 the terminal from which the driver is normally dis-
2 patched.

3 (3) GROUND WATER WELL DRILLING RIG.—The
4 term “ground water well drilling rig” means any ve-
5 hicle, machine, tractor, trailer, semi-trailer, or spe-
6 cialized mobile equipment propelled or drawn by me-
7 chanical power and used on highways to transport
8 water well field operating equipment, including
9 water well drilling and pump service rigs equipped to
10 access ground water.

11 (4) TRANSPORTATION OF CONSTRUCTION MA-
12 TERIALS AND EQUIPMENT.—The term “transpor-
13 tation of construction materials and equipment”
14 means the transportation of construction materials,
15 construction finished related products, construction
16 personnel, and construction equipment by a driver
17 within a 50 air mile radius of the normal work re-
18 porting location of the driver.

19 (5) ELIGIBLE UNIT OF LOCAL GOVERNMENT.—
20 The term “eligible unit of local government” means
21 a city, town, borough, county, parish, district, or
22 other public body created by or pursuant to State
23 law which has a total population of 3,000 individuals
24 or less.

1 **SEC. 352. TRAFFIC CONTROL SIGNS.**

2 Traffic control signs erected under the experimental
 3 project conducted in the State of Oregon in December
 4 1991 shall be deemed to comply with the requirements of
 5 section 2B-4 of the Manual on Uniform Traffic Control
 6 Devices of the Department of Transportation.

7 **SEC. 353. BRIGHTMAN STREET BRIDGE, FALL RIVER HAR-**
 8 **BOR, MASSACHUSETTS.**

9 Notwithstanding any other provision of law, the
 10 Brightman Street Bridge in Fall River Harbor, Massachu-
 11 setts, may be reconstructed to result in a clear channel
 12 width of less than 300 feet.



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